

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Education TITLE NUMBER: 126
RULE TYPE: Procedural; CITE AUTHORITY W.Va. Const. Art. XII, §2, and
W.Va. Code §18-2-5
AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 85

TITLE OF RULE BEING AMENDED: Policies of Operation Manual Child Nutrition
Program (4320)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH
ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS
COMMENT PERIOD WILL END ON August 19, 1996 AT 5 p.m.

ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING
ADDRESS.

Dr. Harriet Deel, Director
Office of Child Nutrition
West Virginia Department of Education
Building 6, Room 248
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

THE ISSUES TO BE HEARD SHALL BE
LIMITED TO THIS PROPOSED RULE.

Cynthia E. Evans
Cynthia E. Evans
Director, Legal Services

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

30.10

EXECUTIVE SUMMARY
POLICIES OF OPERATION MANUAL
CHILD NUTRITION PROGRAMS

Series 85, Policy 4320

PUBLIC COMMENT PERIOD ENDS: August 19, 1996 Adopted _____

BACKGROUND:

Policy 4320.85, Policies of Operation Manual, interprets regulations regarding School Breakfast, School Lunch, Donated Foods, Special Milk and Free/Reduced Price Meal applications. Further, it provides policy regarding financial management as set forth in Office of Management and Budget Circular A-102. It also details federal requirements of the Coordinated Review Effort (CRE).

PURPOSE:

The proposed revisions are intended to update the policy to reflect changes in United States Department of Agriculture regulations for the various Child Nutrition Programs for the public schools of West Virginia. It operationalizes Federal Code 7 CFR Part 210, 215, 220 and 245 that requires state administering agencies to assist local educational agencies in program management and accountability.

This policy, Series 85, Policy 4320, provides local school districts the required revisions needed in order to comply with accountability regulations and other regulatory changes.

CONTENTS:

- Sale of soft drinks has been addressed.
- Glossary of Terms has been updated.
- Minor editing changes have been made to make the policy more readable.

IMPACT:

The policy requires no additional financial outlay. Rather, it provides assistance in management practices and federal accountability requirements.

Policy 4320: Rules and Regulations for Child Nutrition Operations

The West Virginia Board of Education provides assistance to county boards of education in operation of federally funded child nutrition programs in schools. The Board's approval of policy 4320 will transmit federal regulatory revisions to school administrators, food service supervisors and others concerned with quality and accountability of child nutrition programs in schools.

TITLE 126
PROCEDURAL RULES
BOARD OF EDUCATION

SERIES 85
Policies of Operation Manual (4320)

§126-85-1. General.

1.1. Scope. -- This procedural rule establishes operational policy that enhances child nutrition and provides for an efficient operation of the program. The procedures cover the child nutrition program and the school breakfast and school lunch programs.

1.2. Authority. -- W. Va. Const. Art. XII, §2, and W. Va. Code §18-2-5

1.3. Filing Date. --

1.4. Effective Date. --

§126-85-2. Incorporation by Reference.

2.1. Copy of rules and regulations are attached. Copies may be obtained in the office of the Secretary of State and in the West Virginia Department of Education, Division of Administrative Services.

2.2. Summary of rules and regulations below:

SUMMARY OF RULES AND REGULATIONS

State Board Policy Number 4320 authorizes the Policies of Operation Manual to comply with the federal requirements and other State Board policies as these relate to the overall administration of the Child Nutrition Programs. The manual is revised and updated periodically.

The Office of Child Nutrition Policies of Operation Manual is distributed to school administrators and other personnel involved with the operations of the Child Nutrition Programs. The manual provides vital technical assistance and guidance and contains all state and federal policy statements and program regulations.

Information in the Office of Child Nutrition Policies of Operation Manual includes the Department philosophy and goals for nutrition and nutrition education for West Virginia children. In addition, the manual includes state and federal meal requirements for school breakfast and lunch, special milk regulations and instructions for claiming federal reimbursement for eligible meals and milk. There are instructions for completing required records and reports and for handling government donated foods.

Specifications related to financial management include allowable and non-allowable costs. Federal procurement regulations, nonprofit status, federal audit requirements and Coordinated Review Effort (CRE) are addressed.

This manual provides federal eligibility guidelines for free or reduced price meal benefits, and federal requirements for verification of meal applications. Information regarding Civil Rights requirements are included. Policies are detailed that apply to emergency feeding, competitive food sales, catered meals for senior citizens, food service for children who are disabled and regulatory provisions for parent and student involvement.

Recommendations for personnel training are described. Programs available from the Department of Education are outlined.

Non-nutritious foods - namely, candy, soft drinks, chewing gum and flavored ice bars - shall not be sold during the school day (i.e., that period of time between the arrival of the first child at school and the end of the last scheduled instructional period) except that, county boards may permit the sale of soft drinks in county high schools except during breakfast and lunch periods. The sale of such soft drinks shall be in compliance with the rules of the National School Lunch Program and the School Breakfast Program of the State Board and the nutrition service of the United States Department of Agriculture. Seventy-five percent of the profits from the sale of soft drinks shall be allocated by a majority vote of the faculty senate of each school and twenty-five percent of the profits from the sale of soft drinks shall be allocated to the purchases of necessary supplies by the principal of the school.

THE EDUCATION GOALS OF THE STATE OF WEST VIRGINIA

1. All students will have equal educational opportunities and will be ready for the first grade.
2. Student performance will equal or exceed national averages with an emphasis on science and mathematics achievement. Performance measures for students in the lowest quartile will improve by 50 percent.
3. The best personnel will be recruited, retained, provided professional development to improve their skills and will be compensated with competitive salaries and benefits.
4. Ninety percent of ninth grade students will graduate from high school with the knowledge and skills necessary for college, other post-secondary education or gainful employment. The number of high school graduates entering post-secondary education will increase by 50 percent.
5. All school facilities will provide a safe, disciplined environment and meet the educational needs of all students.
6. All working-age adults will be functionally and technically literate. We will use schools, colleges and universities as centers for life-long learning.

MISSION

The mission of the Office of Child Nutrition is to enhance learning and quality of life through nutrition education and nutrition services.

REQUIREMENTS AND ACCOUNTABILITY FOR FOODS AND BEVERAGES SOLD/SERVED

The West Virginia Board of Education has adopted the Standards for School Nutrition, Policy 4321.1, which sets requirements for all foods and beverages made available on school premises during the school day. The school day is defined as the time between the arrival of the first child at school and the end of the last scheduled instructional period.

~~Acceptable~~ Vended food items may be sold if ~~nutrition validation certification~~ is on file at the school. ~~Validation Certification~~ may be in the form of a laboratory analysis of a specific item and shall be written on vendor/company letterhead and signed by an authorized company official. If nutrition labels are used as documentation, the School Food Authority (SFA) must provide access to that information at the time of review. Refer to guidelines for product selection.

The state board regulation must not be confused with a more recent one passed by United States Department of Agriculture (USDA). The guidelines adopted by West Virginia Department of Education (WVDE) are more restrictive and supersede those of USDA. Schools shall be guided by definitions contained herein rather than information furnished by sales representatives.

No candy, soft drinks, chewing gum or flavored ice bars will be sold or served except that, county boards may permit the sale of soft drinks in county high schools except during breakfast and lunch periods. The sale of such soft drinks shall be in compliance with the rules of the National School Lunch Program and the School Breakfast Program of the State Board and the nutrition service of the United States Department of Agriculture. Seventy-five percent of the profits from the sale of soft drinks shall be allocated by a majority vote of the faculty senate of each school and twenty-five percent of the profits from the sale of soft drinks shall be allocated to the purchases of necessary supplies by the principal of the school. No foods and beverages containing 40% or more sugar by weight or juice products containing less than 20% real juice will be sold or served.

All "other foods" available during the instructional day shall reflect the Dietary Guidelines for fat by limiting the number of fat grams to not more than 8 per one ounce serving, or meet the USDA standard for a meal component. "Other foods" are defined as any food or beverage, other than those served as part of the school meal, including snacks from vending machines, and foods sold during school hours for fund-raising purposes and foods for parties. Other foods do not include those brought to school by individual students for their own consumption.

After-school programs which provide supplemental meals to children shall comply with standards of the policy.

County boards of education and local school administrators shall provide a nutritionally healthful school environment for students and accountability for all funds from food and beverage sales. Enforcement systems shall include, but are not limited to:

GUIDELINES FOR SELECTION OF JUICE OR JUICE PRODUCTS

The West Virginia Board of Education Policy 4321.1 supersedes any United States Department of Agriculture (USDA) regulations. Any juice or juice product sold in the school must contain a minimum of 20% real juice. The product must be labeled or the principal must have proof of the percent of juice content in each product sold. The proof must be written on company/vendor letterhead and signed by an authorized company official.

~~The sale or serving of foods or beverages containing 40% or more added sugar by weight is prohibited.~~

SECTION M GLOSSARY OF TERMS

ACT - the National School Lunch Act, as amended.

ADA - Average Daily Attendance.

ADC - Aid to Dependent Children.

ADULT - staff members and employees of a school or child care institution including all faculty, supervisory, past secondary students, student teachers and other personnel.

ADULT BREAKFAST - a breakfast which is sold to an adult for the full price as established by the state and local board of education.

ADULT LUNCH - a lunch which is sold to an adult for the full price as established by the state and local board of education.

AFDC - Aid to Families with Dependent Children.

AFDC ASSISTANCE UNIT - Any individual or group of individuals which is currently certified to receive assistance under the Aid to Families with Dependent Children Program in a State where the standard of eligibility for Aid to Families with Dependent Children (AFDC) benefits does not exceed the income eligibility guidelines for free meal or milk benefits.

APPEAL - the right of appeal by a parent or guardian, child or school or county employee to the state superintendent for an impartial decision.

ASFSA - (AMERICAN SCHOOL FOOD SERVICE ASSOCIATION) - a non-profit, professional organization dedicated to the health and well being of the nation's children. Membership is open to persons engaged in non-profit school food service or related activities in public and private schools, colleges and universities.

ASSESSMENT PROCEDURE - procedure whereby money is reclaimed from a school when a finding is made by the West Virginia Department of Education (WVDE) or United States Department of Agriculture (USDA).

ASSISTED NuMenus (Assisted Nutrient Standard Menu Planning) - A flexible menu planning system whereby food in any quantities may be used to meet the nutrition goals and specific nutrient standards. The meals are analyzed by an agency such as the Department of Education or a consultant outside the SFA or school as a part of the menu planning process.

FISCAL YEAR - (State) - the period of 12 calendar months beginning July 1 and ending June 30 the following calendar year.

FNIC - the Food and Nutrition Information and Educational Materials Center. The Center houses audio-visual and printed materials related to school food service.

FNS - the Food and Nutrition Service of the United States Department of Agriculture (USDA).

FNSRO - the Food and Nutrition Service, Regional Office. In the case of West Virginia, it is the Mid-Atlantic Region with headquarters in Robbinsville, N.J.

FOOD BASED MENUS - A USDA menu planning system whereby foods from specific food groups and in specific quantities are used to meet the nutrition goals and standards. The state agency analyzes menus from historical data (i.e. production records) as a method to verify compliance with the Dietary Guidelines for Americans.

FOOD SERVICE MANAGEMENT COMPANY - means an organization other than a public or private nonprofit school with which an institution may contract for preparing and, unless otherwise provided for, delivering meals, with or without milk for use in the Program.

FOOD SERVICE PERSONNEL - local school food service employees classified as Cooks I, Cooks II, Cooks III and local food service managers.

FOOD STAMP HOUSEHOLD - Any individual or group of individuals which is currently certified to receive benefits under the Food Stamp Program.

FORTIFIED - the addition of a nutrient to a food product to increase that nutrient's density over and above that normally found in the product. The addition of milk solids to low-fat milk to produce "protein fortified" milk is an example.

FOSTER CHILD - a child who is living with a family but who remains the legal responsibility of the welfare agency. Only the income received for foster care for the child should be considered for eligibility purposes. [F - 30.5: - 14]

FREE LUNCH OR FREE BREAKFAST - a lunch or breakfast for which neither the child nor any member of the child's family pays or is required to work in the school or in the school's lunch program. Federal reimbursement for a free lunch or breakfast shall be claimed only for an eligible child with an approved application for free meals.

FSEA - (FOOD SERVICE EQUIPMENT ASSISTANCE PROGRAM) - formerly "Non Food Assistance Program" - funds made available to states to assist them to supply schools drawing attendance from areas in which poor economic conditions exist, with equipment other than real property for the storage, preparation, transportation and serving of food; to enable them to establish, maintain and expand the food service programs.

HIGH SCHOOL - for the purposes of this rule, "high school" shall be defined as a school with a grade configuration of 9-12, 10-12 or 11-12.

HOUSEHOLD - members of a family/household who live together and share expenses; a group of related or nonrelated individuals, who are not residents of an institution or boarding house, but are living as one economic unit.

INCOME STANDARDS - means the family-size and income standards prescribed annually by the Secretary of Agriculture for determining eligibility for free and reduced-price meals under the National School Lunch Program and the School Breakfast Program.

INDIRECT COST RATE - (also called HEW Number of County Non-restricted Cost Rate) - a pre-determined factor which will yield allowable indirect costs when applied to adjusted direct costs. This factor is assigned annually by the Bureau of Finance and Administration of the West Virginia Department of Education from data furnished by the County Departments of Education. Indirect cost rate for Private Schools and Residential Child Care Institutions (RCCI's) is ten percent.

INDIRECT COSTS - those costs representing supporting services and incidental supplies which are furnished by general support services program of the school system. These costs, if properly documented, may be eligible costs of the food services and when added to direct costs, show the full cost of the food service operation.

MEDICAID - a government financed program of medical aid designed for those unable to afford regular medical services.

MILK - pasteurized fluid types of unflavored whole milk, lowfat milk, skim milk or cultured buttermilk which meet state and local standards for such milk. All milk should contain vitamins A and D at levels specified by the Food and Drug Administration and be consistent with state and local standards for such milk.

NAC - Nutrition Advisory Council.

NEEDY CHILDREN - children from families meeting the standards for free and reduced price meals.

NET - (Nutrition Education and Training Program) - In November 1977 the Child Nutrition Act was amended to establish a system of grants to state education agencies for the development of comprehensive nutrition information and education programs. Such nutrition programs shall freely use as a learning laboratory the school lunch and child nutrition programs.

NET CASH RESOURCES - Money in the child nutrition account plus all money due the account less the amount of unpaid bills.

NON-EXPENDABLE EQUIPMENT - tangible property having a useful life of more than one year and an acquisition cost of \$500 or more per unit.

NON PRICING PROGRAM - (Special Milk) - a program in which milk is not sold to children on a daily, weekly, monthly or annual basis. The milk is provided by funds from institution, camp, school or in some cases by a tuition payment.

NONPROCUREMENT - refers to procurement actions undertaken by government grantees or subgrantees.

NON PROFIT PRIVATE SCHOOL - a non-public school that is exempt from income tax under the Internal Revenue Code.

NON-PROGRAM ADULT MEALS - Meals sold to adults not directly involved in the child nutrition program.

NON RESTRICTED COST RATE see INDIRECT COST RATE.

NSLA - National School Lunch Act.

NSLP - National School Lunch Program.

NuMenus (Nutrient Standard Menu Planning) - A flexible menu planning system whereby foods in any quantities may be used to meet the nutrition goals and specific nutrient standards. The meals are analyzed by the SFA or school as a part of the menu planning process.

NUTRIENT STANDARD - the required level of calories and nutrients for a specific grade or age group.

NUTRITION GOALS - refers to meeting 1/3 of the RDA for lunch, 1/4 of the RDA for breakfast, the Dietary Guidelines for Americans and calorie levels for specific ages or grades.

NUTRITIONAL STANDARDS - standards for meal patterns as prescribed by the West Virginia Department of Education.

OA - Office of Audit of USDA.

OFFER VS. SERVE - a senior high school student is not required to accept more than 3 of the 5 items of the school lunch. "Offer" means the complete lunch is made available to students. The "Offer" vs "Serve" may be extended to junior high and elementary schools at the discretion of the local School Food Authority.

SECTION 4 - the section of the National School Lunch Act which describes how funds shall be apportioned among the states for an average reimbursement per lunch per child.

SENIOR HIGH SCHOOL STUDENT:

1. any student enrolled in a 3 year high school (grades 10-12)
2. any student enrolled in a 4 year high school (grades 9-12)
3. in a 5 or 6 year secondary school either:
 - a. students enrolled in grades 10-12
 - b. students enrolled in grades 9-12

as determined by the local School Food Authority.

SERVING PERIOD - the period of time which is normally required to serve a school breakfast or lunch. The serving period should provide approximately ten minutes of eating time after service of breakfast and twenty minutes of eating time after service of lunch.

SFA - (SCHOOL FOOD AUTHORITY) - the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a breakfast or lunch program therein.

SMP - Special Milk Program.

SOC - State Optional Contract makes specified products available to states for distribution to recipient agencies.

SOFT DRINKS - for the purposes of this policy "soft drinks" shall mean the same as "bottled soft drinks" as defined in Section 1, Article 19, Chapter 11 of the Code of West Virginia.

SPECIAL MILK - Milk sold to children at a reduced price or given free to eligible children. Schools participating in the federal food service program may not participate in the Special Milk Program. Schools may participate in the Special Milk Program for split-session kindergarten and/or other pre-primary programs in which children do not have access to the meal service.

SPLIT SESSION - an education program which operates for approximately one-half of the normal school day.

SPONSOR - the governing body responsible for the administration of one or more schools or residential child care centers.

STATE AGENCY - the State Educational Agency.

COMMENT LOG

POLICIES OF OPERATION MANUAL, CHILD NUTRITION PROGRAMS (POLICY 4320)

Directions: Please use this form in commenting by section on the proposed policy and regulations on Policies of Operation Manual, Child Nutrition Programs.

NAME OF INDIVIDUAL/ORGANIZATION_____

ADDRESS_____

Proposed Policy	
Section A Introduction	
Section J Food Service Policies	
Section M Glossary of Terms	

Please submit comments by August 19, 1996 to:

Dr. Harriet Deel, Director
Office of Child Nutrition
West Virginia Department of Education
Building 6, Room 248
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0330

FISCAL NOTE WORKSHEET
(Submit 4 Copies)

HD NO _____ DRAFT NO _____ BILL NO _____ RESOLUTION NO _____

SUBJECT Child Nutrition Policy Manual 4320 FUND General

SOURCE OF REVENUE: ☐ GENERAL FUND ☐ SPECIAL ☐ OTHER (SPECIFY) _____

COST OF ESTIMATE BASED ON: ☐ AN ORIGINAL ESTIMATE ☐ BUDGET BILL ☐ OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: ☐ AN ORIGINAL ESTIMATE ☐ BUDGET BILL ☐ OTHER (SPECIFY) _____

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2 & GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
PERSONAL SERVICES CURRENT EXPENSES REPAIRS/ALTERATIONS EQUIPMENT OTHER	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
2. ESTIMATED TOTAL REVENUES	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

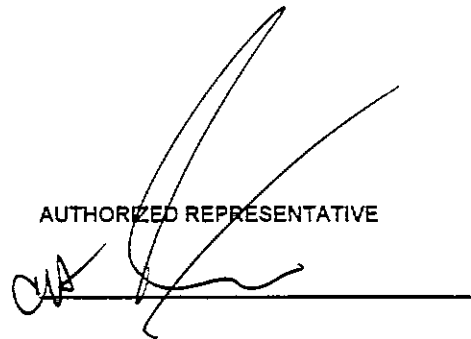
DATE

AGENCY

AUTHORIZED REPRESENTATIVE

6/5/96

West Virginia Department of Education



POLICIES OF OPERATION MANUAL

4320

Office of Child Nutrition

West Virginia Department of Education



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Discrimination Prohibited: The West Virginia Department of Education does not discriminate on the basis of sex, race, color, religion, disability, age and national origin in employment and in the administration of any of its education programs and activities. Inquiries may be directed to the Elimination of Sex Discrimination Program Coordinator, 558-7864; to the Section 504 Coordinator, 558-2696, WV Department of Education, 1900 Kanawha Blvd. E., Charleston, West Virginia, 25305-0330; or to the U.S. Department of Education's Director of the Office for Civil Rights, 215-596-6795.

FOREWORD

This policy manual is provided to school administrators, school food service supervisors and others concerned with the advancement of child nutrition programs in West Virginia schools. By observing these state and federal policies, schools throughout the state will be better able to:

1. Provide nutrition programs needed by the students;
2. Upgrade and expand available services;
3. Provide attractive, nutritionally balanced meals to all students; and
4. Help students develop sound eating habits.

The following policies reflect the concerns of parents, interested citizens and the West Virginia Board of Education.



Henry Marockie
State Superintendent of Schools

POLICIES OF OPERATION MANUAL

**Henry R. Marockie
State Superintendent of Schools**

August 1996

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CHILD NUTRITION PROGRAMS IN WEST VIRGINIA

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CHILD NUTRITION PROGRAMS IN WEST VIRGINIA

HISTORY

School food service gained national emphasis during the depression days. As part of the national effort to combat depression in the early 1930's, the National Youth Association and the Works Progress Administration were established, both of which provided federal funds for employment in school lunch programs. In 1935, Congress authorized a direct purchase and distribution program for surplus farm products to needy families, charitable institutions and non-profit school lunch programs. When food demands of World War II eliminated farm surpluses, an interim cash assistance program was initiated which proved to be a forerunner to permanent legislation. In 1946, after World War II draft statistics indicated that one-third of all men rejected for military service were physically unfit due to nutritional deficiencies, the National School Lunch Act was enacted to provide funds to schools for each lunch served students.

Acting upon the testimony of the Surgeon General, who stated emphatically that money was being wasted in trying to educate children with half-starved bodies, Congress defined the purpose of the National School Lunch Act:

"It is hereby declared to be the intent of Congress, as a measure of national security, to safeguard the health and well-being of the nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the states, through grants-in-aid and other means, in providing an adequate supply of food and other facilities for the establishment, maintenance, operation and expansion of nonprofit school lunch programs..."

In 1954, the Special Milk Program was enacted to increase children's consumption of fluid milk. During the 1960's as a result of national awareness of hunger and malnutrition in the United States (as portrayed on the CBS documentary "Hunger in America" and substantiated by the Ten State Nutrition Survey, conducted by the Department of Health, Education and Welfare), the School Breakfast Program, Child Care Food Program and the Summer Food Service Program were established on a pilot basis. In 1966, the Child Nutrition Act was passed, which complemented the program provided under the School Lunch Act. In 1970, new amendments to the National School Lunch Act and the Child Nutrition Act brought about substantial changes and program expansion.

During the 1970's a series of amendments provided: permanent authorization of the School Breakfast and Child Care Food Programs; changes in the meal pattern; "offer versus serve" provisions for older children; establishment of a national advisory council; and a three-year authorization of the nutrition education and training program.

The Child Care Food Program was recently expanded to include the eligibility of certain adults. The implementation of the provisions of the Older Americans Act (OAA) Amendments of 1987 and the Rural Development Act of 1989 allows for the participation of adult day care centers in the Child and Adult Care Food Program.

In developing plans for the 1990's, the United States Department of Agriculture has identified several priorities: (a) assess, improve and strengthen point of service and accountability systems; (b) operate more efficiently; (c) integrate food service and nutrition education; (d) involve students, parents, teachers and school administrators; (e) reduce paperwork; (f) increase outreach in the breakfast program; and (g) simplify eligibility documentation. Although adequate facilities, enabling state and federal legislation and a sound financial system all are necessary, the ultimate success and effectiveness of the child nutrition program is dependent upon full support and cooperation at all administrative levels and upon trained personnel.

In May of 1989 the School Breakfast Program was expanded to include the requirement of an additional food item and allowed schools to implement an "offer vs serve" option for breakfast. This change resulted from national evaluations conducted by the Department of Agriculture comparing nutrient content of home and school breakfasts. Based on a review of these evaluations, the home breakfast provided more iron and vitamin A but less milk-related nutrients than the School Breakfast Program.

In an effort to increase the nutrient integrity of the School Breakfast Program, an additional meat or bread item was required. This addition raised the iron content of the school breakfast and also allowed for the increased levels of other nutrients occurring in combination with iron.

PHILOSOPHY (West Virginia Department of Education)

The primary responsibility of the food service program is to the participant and the participant's nutritional needs - the child in school (public and private)... the child in institutional surroundings... the special needs child... the child in day care (center and home)... the adult in day care. Each has important food needs.

An effective food service makes available to all participants a nutritionally adequate noon-day meal as an extension of classroom activity, child development and support services to adults and caregivers. Breakfast and Supplemental nourishment are added as needed for the participants involved.

All meal service in the dining area shall conform to the nutritional standards prescribed and shall be priced and served as a unit. Any other food or beverage served at any time during the day should provide protein, vitamins and minerals in a satisfactory balance with calories in order to contribute to the nutritional quality of the meals served.

Non-nutritious foods - namely, candy, soft drinks, chewing gum and flavored ice bars - shall not be sold during the school day (i.e., that period of time between the arrival of the first child at school and the end of the last scheduled instructional period).

THE EDUCATION GOALS OF THE STATE OF WEST VIRGINIA

1. All students will have equal educational opportunities and will be ready for the first grade.
2. Student performance will equal or exceed national averages with an emphasis on science and mathematics achievement. Performance measures for students in the lowest quartile will improve by 50 percent.
3. The best personnel will be recruited, retained, provided professional development to improve their skills and will be compensated with competitive salaries and benefits.
4. Ninety percent of ninth grade students will graduate from high school with the knowledge and skills necessary for college, other post-secondary education or gainful employment. The number of high school graduates entering post-secondary education will increase by 50 percent.
5. All school facilities will provide a safe, disciplined environment and meet the educational needs of all students.
6. All working-age adults will be functionally and technically literate. We will use schools, colleges and universities as centers for life-long learning.

MISSION

The mission of the Office of Child Nutrition is to enhance learning and quality of life through nutrition education and nutrition services.

MAJOR FUNCTIONS

Major functions are categorized in the areas of administration, technical assistance and training, monitoring and accountability, and outreach. Specifically, the Office of Child Nutrition works to achieve the following:

1. Ensure the service of nutritious meals that appeal to children.
2. Increase efficiency and accountability in food service operations.
3. Assist students in achieving optimum performance and quality of life.

4. Enable educators, food service personnel and parents to positively influence children's eating habits.
5. Collaborate with other governmental and community agencies in establishing goals and nutrition services for children.
6. Optimize the effectiveness of child nutrition personnel.
7. Promote and expand child nutrition programs.

UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) CHILD NUTRITION PROGRAMS

Seven separate Child Nutrition Programs are administered by the United States Department of Agriculture, Division of Food and Consumer Service:

1. National School Lunch Program
2. School Breakfast Program
3. Child and Adult Care Food Program
4. Summer Food Service for Children
5. Special Milk Program
6. Nutrition Education and Training
7. Donated Foods Program

These programs are authorized by the National School Lunch Act of 1946 and the Child Nutrition Act of 1966. All are administered by the West Virginia Department of Education, except the Donated Foods Program which is under the West Virginia Department of Health and Human Resources. A brief description of each program follows:

National School Lunch Program - The National School Lunch Program assists in providing nutritious lunches to students in public and non-profit private schools of high school grade and under and in non-profit residential child care institutions.

School Breakfast Program - The School Breakfast Program was established by the Child Nutrition Act of 1966 as a pilot project and aimed only at schools with large numbers of needy children or students who traveled long distances to school. Today, the program is available to all public and private schools and to non-profit residential child care institutions. The School Breakfast Program is mandated for public schools in WV Code §18-5-37.

Child and Adult Care Food Program - The Child and Adult Care Food Program (CACFP) operates year-round in non-residential institutions that provide care for children enrolled in: day care centers, Head Start centers, outside-school-hours care centers and family day care homes, and adults enrolled in day care centers. Attending participants are served breakfast, lunch, suppers and snacks, as needed.

Summer Food Service Program for Children - The Summer Food Service Program for Children provides meals to children during extended school vacation periods (more than three weeks). The program may be sponsored by any public or private non-profit, non-residential institution where at least one-half of the children are eligible for free or reduced price school meals. In addition to these institutions, residential camps may also sponsor the program and receive reimbursement for meals served to economically needy children.

Special Milk Program - The Special Milk Program makes it possible for split-session kindergarten and/or other pre-primary children who do not have access to other meal service and all children attending a school without a food service program to purchase milk at a reduced price, or if they are eligible, to receive milk free. Schools, summer camps and institutions that participate in other federal-state child nutrition programs may not participate in the Special Milk Program.

Nutrition Education and Training Program (NET) - The Nutrition Education and Training Program provides funds to the states for the dissemination of nutrition information to participants and for staff development of food service personnel and teachers. The program is for all participants in public and private schools and in residential and non-residential care institutions.

Food Distribution Program - The Food and Consumer Service through the Food Distribution Program donates foods to various food program outlets - including schools and summer camps. Commodities used in the program are generally acquired under price support and surplus removal legislation and donated to program outlets through cooperating state agencies. The Department of Agriculture also has special purchasing authority to acquire food for certain feeding programs.

RESPONSIBILITIES FOR CHILD NUTRITION PROGRAMS

FEDERAL LEVEL

At the federal level, the Food and Consumer Service shall act on behalf of the United States Department of Agriculture in implementing the Child Nutrition Programs. It shall be responsible for the following four areas:

1. Program Administration

- providing timely information to the Administration and to Congress;
- drafting, up-dating and publishing in the Federal Register regulations to implement the National School Lunch Act and the Child Nutrition Act, as amended by Congress;
- soliciting public comment prior to issuing federal regulations in their final form;
- conducting briefing sessions and/or public hearings concerning national policies related to school food service;
- negotiating an annual written contract with each state educational agency for administration of the School Lunch, School Breakfast, Special Milk, Child and Adult Care Food Program, Summer Food Service Program;
- developing and disseminating policy statements, instructions, time frames, guidelines and memoranda related to program management;
- developing national policy concerning the provision of free and reduced price meals or free milk, including income poverty guidelines and prototype applications and administrative guidance;
- annually reviewing and evaluating each state agency, together with selected sponsors and schools for each child nutrition program administered; initiating corrective action plans where necessary; and
- reviewing and approving the various state plans as submitted by each state for the succeeding school years.

2. Financial Management

- allocating federal funds by means of an annual Letter of Credit to each state agency agreeing to administer the various child nutrition programs;
- developing prototype contracts, reporting forms, agreements, policy statements, financial management systems, application forms and review and evaluation forms for use in administration of the programs;
- developing, where necessary, corrective action plans in cooperation with the state agency, including follow-up and financial assessment where necessary;
- providing budgetary information to the Administration and to Congress;
- revising proposed budgets in terms of authorized and budgeted expenditures;
- collecting, processing and collating monthly participation reports;
- processing and up-dating each state's Letter of Credit to reflect program activity;

- periodically up-dating reimbursement rates for various programs; and
- reviewing and approving state automated data processing systems.

3. Training

- preparing and distributing program aids;
- preparing and distributing suggested training materials for school food service personnel, nutrition education and parental involvement;
- developing criteria to measure the nutritional quality of foods and beverages to be served in schools;
- cooperating with community groups, professional associations and allied agencies to evaluate program effectiveness; and
- negotiating contracts with appropriate agencies to conduct surveys, evaluations, and special research projects.

4. Food Distribution

- negotiating an annual agreement with each state for the acceptance, allocation and delivery of government-donated foods;
- developing specifications and issuing bids for the purchase of foods to be distributed to child nutrition programs;
- allocating and shipping government-donated foods to each state;
- monitoring the state's government-donated foods distribution plan; and
- approving Commodity Processing contracts and/or implementing the National Inventory System.

RESPONSIBILITIES FOR CHILD NUTRITION PROGRAMS

STATE LEVEL

The West Virginia Department of Education is responsible for the following four areas:

1. Program Administration

- preparing annual state plans for Child Nutrition Program operations and a State Plan for the Nutrition Education and Training Program;
- annually negotiating a Sponsors Agreement [A - 30.1] with sponsoring agencies;
- developing prototype Policy Statements [A - 30.2] for provision of free and reduced price meals, free milk, free textbooks, workbooks and instructional supplies and other specified educational benefits;
- approving Policy Statements submitted annually for all school programs administered by each sponsoring agency;
- developing, printing and distributing prototype student applications and letters to parents concerning the availability of free and reduced price meals;
- preparing annual state and federal budget requests for the succeeding fiscal year (State-July 1 through June 30; Federal-October 1 through September 30);
- scheduling, conducting, summarizing and evaluating public hearings on the various child nutrition programs;
- continuously reviewing and evaluating United States Department of Agriculture (USDA) regulations and instructions as published in the Federal Register (proposed, interim and final regulations) or as issued by the USDA Regional Office (guides, handbooks, instructions, memoranda and reports);
- notifying sponsoring agencies of USDA regulations, instructions and policy guidelines on a timely basis;
- cooperating with parents, students, community groups, professional associations, state and local agencies in outreach activities to extend program benefits and to create a positive image;
- establishing, organizing and convening the Nutrition Advisory Council and other advisory committees to maintain liaison with participating agencies; and
- cooperating with national, state and local agencies in implementation of an on-going nutrition education and training program which meets the identified needs of the state.

2. Financial Management

- timely draw-down of federal funds to pay outstanding claims for reimbursement;
- timely and accurate processing and paying of monthly claims for reimbursement;
- preparing accurate monthly financial status reports and timely submission at state and federal levels;
- annually reconciling reimbursement payments with program costs;
- reconciling state and federal subsidiary accounts;

- auditing sponsoring agencies and selected sites on an annual schedule in accordance with United States Department of Agriculture (USDA) Audit Guides; and
- assessing sponsoring agencies for overclaims identified as part of the audit reports or Coordinated Review Effort (CRE).

3. Monitoring And Evaluation

- developing and monitoring the procedures to be used by schools in verifying information reported in a sampling of applications for free/reduced price meals;
- annually reviewing net cash resources at the sponsor level;
- conducting on-site management evaluations of program performance;
- monitoring sponsoring agencies and selected participating sites in accordance with regulations (CRE, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 State Standards for Educational Excellence, and Standards for School Nutrition); and
- continuously evaluating program effectiveness.

4. Training And Technical Assistance

- scheduling and completing on-site visits to provide technical assistance and/or follow-up visits; providing technical assistance as a result of CRE reviews;
- implementing staff development for local school food service personnel;
- assisting sponsoring agencies with local school food service training programs where necessary;
- developing and implementing on-going training programs for supervisory and administrative personnel (sponsor level);
- reviewing and approving proposed plans and layouts for food service facilities when requested; and
- preparing and distributing training materials, program aids and guidance materials.

RESPONSIBILITIES FOR CHILD NUTRITION PROGRAMS SPONSOR LEVEL

At the local level, each county board of education or sponsor is responsible for the following four areas:

1. Program Administration

- annually negotiating contracts with participating schools;
- presenting for approval to the local board of education the Sponsors Agreement [A - 30.1] and Policy Statement [A - 30.2] for provision of free and reduced price meals or free milk, free textbooks, workbooks and instructional supplies; providing copies of sponsor's approved Policy Statement to all participating schools;
- distributing copies of Application for Free or Reduced Price Meals and Free Textbooks, Workbooks and Instructional Materials [F - 30.2];
- implementing required hearing procedures [Policy Statement, A - 30.2];
- implementing a county level verification procedure to be used in the approval of applications for free and reduced price meals;
- monitoring school procedures in handling applications for free and reduced price meals, collection procedures for meal payment, point of service count and avoidance of overt identification of needy children;
- developing standard policies regarding employment practices, grievance procedures, supervision and training of food service personnel;
- organizing, when needed for compliance with §2550.19 and §4321.1, school and county advisory councils;
- assisting student-parent planning committees to improve public relations and increase student participation;
- notifying school administrators and school food service personnel concerning rules, regulations and policies governing school food service programs;
- maintaining liaison with parent, student and community groups;
- promoting National School Lunch Week and other special activities;
- extending and expanding program benefits to meet the nutritional, emotional and social needs of all children;
- school automation of records and reports; and
- reporting Requirements §18A-2-13 which provide the following data from each school:
 - a. the number of meals served;
 - b. the number of cooks employed; and
 - c. average number of meals served per cook hours worked.

2. Financial Management

- verifying and consolidating schools' monthly reports of participation and claims for reimbursement; promptly submitting the sponsor's consolidated Claim for Reimbursement [G - 30.5]; verifying sponsor's monthly reimbursement payments and allocating payments to the individual schools or programs;

Administrative Requirements, School Food Authority

- consolidating schools' financial reports each month; preparing an annual sponsor's report of accrued income and per meal costs; submitting report to state agency; documenting reported income and expenditures and retaining documentation for three years plus current operating year;
- annually reviewing operating balances at the school level; annually reconciling reimbursement payments to direct costs incurred at the school or sponsor level; assigning and adjusting school reimbursement rates (in relation to allowable per meal costs);
- developing, implementing and maintaining an inventory control system for food service equipment (retention for 12 years);
- establishing and implementing purchasing procedures in compliance with state and federal regulations;
- developing and implementing a viable financial management system and an automated data processing plan which meets state and federal requirements;
- reviewing edit checks monthly and document reasons for unusually high percentage of participation; and
- obtaining attendance factor for each school.

3. Monitoring And Evaluation

- maintaining a regular schedule of on-site visits to participating schools; monitoring all food service sites prior to February 1 of each school year and scheduling follow-up visits to schools to ensure program compliance; accompanying state and/or federal representatives on local school visits; and
- continuously evaluating the effectiveness of the child nutrition programs in serving all children.

4. Training And Technical Assistance

- reviewing and approving building and renovation lay-outs, plans and purchasing contracts; reviewing and approving major food service equipment purchases;
- planning and/or approving school food service menus prior to time of service; developing and implementing local policies concerning the serving of nutritious foods at schools;
- complying with state and local standards concerning sales of foods and beverages during the school day;
- providing technical assistance to school food service personnel, school administrators and clerical personnel;
- developing and implementing an on-going training program for food service personnel, school clerical personnel and school administrators;
- providing resource person(s) for school administrators, teachers, professional groups and allied agencies;
- assisting teachers and school administrators in developing an on-going nutrition education program;

- developing and/or disseminating training aids, instructional materials, handbooks, manuals and other program aids; and
- initiating an on-going, relevant professional growth program for food service supervisory personnel.

DATES AND DEADLINES

- | | |
|---------------------------|---|
| September 1 | <ul style="list-style-type: none"> ● Policy Statement (WVDE 43-10-11) ● Annual School Information for the School Lunch, School Breakfast and Special Milk Program ● Criteria for Determination of Severe Need Schools School Breakfast Program |
| 10th of Each Month | <ul style="list-style-type: none"> ● Monthly Claim for Reimbursement (WVDE 43-10-30)
(tenth of the month following the monthly period being claimed) |
| October 15 | <ul style="list-style-type: none"> ● Monthly Financial Reports (WVDE 43-10-31) |
| January 15 | <ul style="list-style-type: none"> ● Monthly Financial Reports (WVDE 43-10-31) |
| April 15 | <ul style="list-style-type: none"> ● Monthly Financial Reports (WVDE 43-10-31) |
| July 15 | <ul style="list-style-type: none"> ● Monthly Financial Reports (WVDE 43-10-31) |
| September 30 | <ul style="list-style-type: none"> ● Annual Report (WVDE 43-10-32) |
| October 31 | <ul style="list-style-type: none"> ● Verification. Draw sample based on the number of free/reduced price meal applications on file October 31. |
| October 31 | <ul style="list-style-type: none"> ● Civil Rights Information (racial, ethnic data) |
| November 10 | <ul style="list-style-type: none"> ● Reporting requirements §18A-2-13 (submit with October report) |
| November 30 | <ul style="list-style-type: none"> ● Notify WVDE of Verification Extension |
| December 15 | <ul style="list-style-type: none"> ● Complete verification process |
| January 10 | <ul style="list-style-type: none"> ● SFA Verification Summary Report received by the WVDE, Office of Child Nutrition |
| February 1 | <ul style="list-style-type: none"> ● Complete SFA site monitoring |

Note: Refer to the POLICIES OF OPERATION MANUAL 4320 for further information regarding the submission of reports, documents, etc.

RESPONSIBILITIES FOR CHILD NUTRITION PROGRAMS

SCHOOL LEVEL

The local school administrator is responsible for the following five areas:

1. Program Operation

- filing an Application for School Lunch, School Breakfast and Special Milk Programs [A - 30.3] with the county boards of education;
- distributing, at the beginning of each school year Applications for Free and Reduced Price Meals and Free Textbooks, Workbooks and Educational Materials [F - 30.2] to each student enrolled in the school;
- reviewing and approving, in accordance with state and county administrative guidance materials, each application for free meals and reduced price meals and/or complete direct certification for eligibility;
- verifying information reported on a sampling of applications for free and reduced price meals and verifying any incomplete, illegible or questionable information entered on the applications;
- approving all eligible, complete applications and denying all applications that do not meet the eligibility guidelines. Such approval or denial must be entered on the application in the appropriate areas and parents must be notified within 10 working days after the completed application has been returned to the school;
- informing all teachers and clerical personnel of the federal, state and county requirements for provision of free and reduced price meals or free milk;
- initiating hearing procedures when information entered on the application is challenged, or appears to be inaccurate;
- providing copies of student applications for free and reduced price meal benefits when an eligible student transfers to another school;
- checking menus prior to and during service to ensure that all nutritional requirements are met;
- providing assistance to school food service personnel in planning menus that provide for choices within the required meal components to all students; and
- providing alternate meal services (plate lunch and box lunch; salad plate and regular plate lunch; continental breakfast and regular breakfast) to increase student participation.

2. Records And Reports

- establishing a procedure for obtaining accurate meal counts at the serving line without overt identification so that accurate reports of daily student participation by category are entered on the daily reporting form;

- maintaining all records pertaining to child nutrition programs (including applications for free and reduced price meals, participation records, invoices, financial reports, equipment inventories and production records) for three years plus the current school year;
- submitting complete and accurate reports of daily participation; and
- submitting a monthly report of food service revenue and expenditures to the county office.

3. Financial Management

- developing and implementing standard procedures for collecting meal payments, collecting meal tickets and serving meals so that no student is overtly identified;
- establishing a system for payment and reporting of all food service invoices in compliance with county and state requirements for financial management;
- obtaining prior approval for all major purchases from the sponsoring agency;
- establishing standard procedures for maintaining inventories of purchased and government-donated foods, supplies and equipment; and
- documenting reported expenditures.

4. Training

- encouraging school food service and clerical personnel to participate in the county's staff development program;
- remaining informed concerning federal, state and county regulations and policies concerning the various child nutrition programs; and
- encouraging teachers to attend available nutrition education training and assisting teachers in developing a sequential nutrition education program in the classroom.

5. Public Relations

- advising parents concerning the types of food service programs available at the school and surveying the need for additional programs;
- organizing student advisory councils to assist in menu planning, publicity and observance of special days in the lunchroom; and
- maintaining liaison with parents, students, community groups and the administration to promote good public relations.

Those School Food Authorities who vend or satellite meals must provide names and addresses of sites on WVDE 43-10-01. Exhibit [A - 30.3]

WEST VIRGINIA DEPARTMENT OF EDUCATION

Charleston, West Virginia 25305

NATIONAL SCHOOL LUNCH ACT

CHILD NUTRITION ACT OF 1966

SPONSOR'S AGREEMENT FOR THE SCHOOL LUNCH,
SCHOOL BREAKFAST AND SPECIAL MILK PROGRAM

1. NAME OF SPONSORING AGENCY:

2. ADDRESS OF SPONSORING AGENCY:

3. EFFECTIVE DATE:

In order to effectuate the purposes of the National School Lunch Act, as amended (42 U.S.C. 1751) and the Child Nutrition Act, as amended (42 U.S.C. 1771), the West Virginia Department of Education, hereinafter referred to as the "Department", and the Sponsoring Agency (Item 1 above), hereinafter referred to as the "Sponsor", agree as follows:

The DEPARTMENT agrees to make funds available to the Sponsor for the programs operated by it, as designated below, in accordance with the various State and Federal Regulations applicable to such programs: National School Lunch and Breakfast Program Regulations (7 CFR Parts 210, 220, 3015 and 245); and/or Special Milk Program Regulations (7 CFR Part 215) and Nutrition Education and Training Regulations (7 CFR Part 227), and any applicable amendments thereto, as well as any State Laws, Regulations, or Standards.

The SPONSOR agrees to accept federal funds for expenditure in accordance with the applicable Regulations and any amendments thereto, and to comply with all the provisions of such regulations and amendments thereto. In the event of a proposed amendment of any applicable regulation, if the Sponsor gives to the Department, prior to the effective date of the amendment, written notice of its determination to discontinue operation of any program conducted thereunder, this Agreement shall be terminated as to such program as of the effective date of the amendment.

The SPONSOR agrees that it will be responsible for the operation of the following Child Nutrition Programs: (Place an "X" in the applicable space to designate the program(s).

National School Lunch Program _____
School Breakfast Program _____
Special Milk Program _____
(In "No Program" schools or
split session Kindergartens only)
Commodity Schools _____

This agreement shall be effective commencing on the date specified (Item 3 above) and ending one year thereafter, unless terminated earlier as provided herein. The Department may renew this Agreement each year thereafter, by notice in writing given to the Sponsor as soon as practicable after funds have been appropriated for carrying out any of the purposes of the National School Lunch Act and of the Child Nutrition Act during each such year. In any event, however, either party hereto may, by giving at least ten days written notice, terminate this Agreement.

The DEPARTMENT agrees to reimburse the Sponsor to the extent of funds available for school lunches, school breakfasts or special milk served to eligible children in connection with the Child Nutrition Programs indicated above. Reimbursement shall be made only in connection with meals served to children which meet the nutritional standards set forth in this agreement. Reimbursement rates as established by the United States Department of Agriculture shall be used to reimburse the Sponsor on behalf of the school or institution. For all Sponsors, general cash-for-food assistance funds shall be used to assist the schools or institutions in obtaining food (the assigned reimbursement rate multiplied by the total number of school lunches or breakfasts served to children); special cash assistance payments shall be made to assist schools in providing free and reduced price meals to eligible children (the reimbursement rate multiplied by the total number served free or reduced).

The SPONSOR agrees to submit to the Department for approval at the beginning of each school year, a Policy Statement for the Provision of Free and Reduced Price Meals or Free Milk which covers all food services provided under the National School Lunch Act and the Child Nutrition Act for all schools or institutions participating in the child nutrition programs. An approved copy of the Policy Statement will be provided to all participating schools or institutions by the Sponsor. Any school or institution participating in the programs indicated above may, through the Sponsor, be reimbursed for school lunches and school breakfasts served free or at a reduced price to children meeting the Sponsor's approved eligibility standards, provided that a current, correctly approved Application for Free or Reduced Price Meals is on file at the school or institution. Such free and reduced price meals shall be offered to all eligible children by all participating schools or institutions. Neither the child nor any member of the child's family may be required to work for a meal. Each participating school or institution shall comply in all respects to the Sponsor's approved Policy Statement. When the school or institution participates in the Child Nutrition Programs listed above, meals may not be denied any child for disciplinary purposes and, if consumed in another school location, must be the same meal offered to other children. If no meal service is available at a given school or institution, the Sponsor may apply for the Special Milk Program for that particular school or institution. An approved Policy Statement must be on file. For schools or sites with split-session kindergarten programs, the sponsor may apply for the Special Milk Program for those particular kindergarten children only.

The SPONSOR and the participating schools or institutions under its jurisdiction shall comply with all provisions of Chapter 7, Code of Federal Regulations, Parts 210, 215, 220 and 245.

The DEPARTMENT and the SPONSOR hereby agree to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et. seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et. seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et. seq.), all provisions required by the implementing Regulations of the Department of Agriculture, Department of Justice Enforcement Guidelines (28 CFR 50.3 and 42) and FNS (USDA)

directives and guidelines. Compliance will be consistent with the objective that no person in the United States shall, on the ground of race, color, national origin, age, gender or disability be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which the Sponsor receives federal financial assistance under this contract. The Sponsor hereby gives assurance that it will immediately take measures necessary to effectuate this agreement. By accepting this assurance, the Sponsor agrees to compile data, maintain records and submit reports, as required, to permit effective enforcement of the nondiscrimination laws and permit authorized USDAWVDE personnel during normal working hours to review such records, books and accounts as needed to ascertain compliance with the nondiscrimination laws. If there is any violation of this assurance, the United States Department of Agriculture or the Department shall have the right to seek judicial enforcement of this assurance. Federal financial assistance is extended under this agreement in reliance on the representations made herein. This assurance is binding on the program applicant and its successors, transferees and assignees as long as they receive assistance or retain possession of any assistance from the United States Department of Agriculture. The person whose signature appears below is authorized to sign this assurance on the behalf of the Sponsor.

The SPONSOR hereby agrees that it will comply with Section 504 of the Rehabilitation Act that is designed to assure that those who receive federal financial assistance will not discriminate against disabled persons. It provides in relevant parts as follows: "No otherwise qualified handicapped individual in the United States... shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The SPONSOR shall take appropriate initial and continuing steps to notify participants, beneficiaries, applicants and employees, including those with impaired vision or hearing, and unions or professional organizations and local minority and grass roots organizations that it does not discriminate on the basis of disability violation of Section 504 of the Rehabilitation Act of 1973. The notification shall state, where appropriate, that the sponsor does not discriminate in admission or access to, or treatment or employment in, its programs and activities.

All information used by the sponsor to inform the public about the program shall contain the following nondiscrimination statement: "Program benefits and services are available to all children without regard to race, color, gender, disability, age or national origin. If you believe you have been discriminated against because of race, color, national origin, age, gender or disability, write to the Administrator, Food and Nutrition Service, USDA, Park Center Drive, Alexandria, Virginia 22302." The collection and reporting of data on the racial or ethnic identity of children who apply for free and reduced price meals is required by Department of Justice regulations.

THE SCHOOL FOOD AUTHORITY AGREES THAT, for each school listed in the Policy Statement, it will conduct the program(s) indicated in the Sponsor's Agreement in accordance with the Department's regulations and will conform to the following requirements in the conduct of each program (unless the requirement is restricted to a particular program):

Meal Counts, Monitoring and Claims

The official signing the monthly Claim for Reimbursement shall be responsible for reviewing and analyzing meal counts to ensure accuracy as specified in Section 210.8 governing claims for reimbursement. The school food authority acknowledges that failure to submit accurate claims will result in the recovery of an overclaim and may result in the withholding of payments, suspension or termination of the program as specified in Section 210.24.

The school food authority acknowledges that if failure to submit accurate claims reflects embezzlement, willful misapplication of funds, theft, or fraudulent activity, the penalties specified in Section 210.25 shall apply.

The school food authority shall provide that free, reduced price, and paid reimbursable meals served to eligible children are counted at the point of service, or through another counting system if approved by the State agency.

Each school food authority with more than one school shall perform no less than one on-site review of each school under its jurisdiction prior to February 1 of each school year (see 210.8 (a) (1)). The

person who will monitor and complete the monitoring visits report is _____

_____ whose position (title) is _____

Prior to the submission of a monthly Claim for Reimbursement, each school food authority shall compare each school's daily claim against data which will assist in the identification and correction of Claims for Reimbursement in excess of the number of reimbursable free, reduced price and paid lunches actually served that day to children eligible for such lunches. Such data shall, at a minimum, include the number of children currently approved for free and reduced price lunches in the school, and, for every month except September, the average daily number of free, reduced price and paid lunches served for the preceding month (see 210.8 (a) (2)).

School food authorities shall also compare claims against the school's average daily attendance, enrollment or membership data, and a factor that accurately accounts for the difference between enrollment and attendance at any given time (see 210.8 (a) (3)). The person responsible for these edit

checks is _____

whose position (title) is _____

The SPONSOR agrees: to develop a system for collection of data; to maintain this information on file for 3 years; and to establish procedures to ensure that the information is made available only to authorized state and federal personnel during reviews or as part of OMB approved surveys. Estimated data on the racial/ethnic make-up of the applicant organization's program service area (NSLP, SBP, SMP) and enrollment shall be maintained by the Sponsor.

The SPONSOR agrees to make available upon request, information about program requirements and procedures for filing complaint in the appropriate translation to non-English speaking persons.

The SPONSOR, if it employs 15 or more persons, agrees to designate a coordinator to carry out Section 504 activities.

The SPONSOR hereby certifies that any school(s) or institution(s) under its jurisdiction and participating in any of the Child Nutrition Programs indicated above is nonprofit, exempt from Federal Income Tax under the Internal Revenue Code, as amended, and devoted to the care, training and education of children. Any Sponsor, school or institution that operates its food service under a contractual arrangement with a concessionaire or a food management company shall submit a copy of such contractual agreement to the Department annually for approval prior to negotiation.

The SPONSOR and its schools or institutions participating in any or all of the Child Nutrition Programs indicated above shall comply with the requirements set forth in 7 CFR Part 3015 regarding financial management; shall maintain full and accurate records of operations under this agreement and shall keep such records for a period of three years after the end of the fiscal year to which these records pertain. Records of income and expenditures shall be maintained in such a manner as to reflect the non-profit status of this service. The Sponsor shall limit its operating balance to a level consistent with program needs. All excess funds (as determined by the Department) shall be used to reduce the price of the meal, to improve the quality of the meal service or to purchase new or replace old equipment as approved by the Sponsor and the Department.

The SPONSOR and each of the participating schools or institutions shall make available to the Department or to the United States Department of Agriculture or to the State Tax Commission for examination and/or audit at any reasonable time and place, all records pertaining to the operation of programs under this agreement. The SPONSOR agrees to make it possible for the Department to fulfill its agreement with the United States Department of Agriculture concerning its responsibilities for program supervision, management control, audit, monitoring compliance and on-site visitation.

The SPONSOR, for its participating schools or institutions, agrees to submit to the Department on forms provided by the Department claims for reimbursement in accordance with instructions provided by the Department. Claims for reimbursement not filed within 60 days following the last day of the month covered by the claim will not be paid except when the United States Department of Agriculture determines that late submission of the claim was justifiable.

The SPONSOR agrees that all income accruing to the food service program in its office or in any schools or institutions participating in the programs available under the National School Lunch Act or the Child Nutrition Act shall be **used only for Program purposes**; provided however, that such income shall not be used to purchase land or to acquire or to construct buildings.

The SPONSOR agrees that adequate facilities will be maintained for storing, preparing and serving food purchased for service under the National School Lunch Act or the Child Nutrition Act and for food donated by the United States Department of Agriculture. Proper sanitation and health and safety standards conforming with all federal, state and local standards and regulations shall be maintained by the participating schools and institutions, including an adequate and safe supply of water and sanitary

disposal of all water and refuse. Such facilities shall be provided that the children may eat their meal in an accepted social manner. Adequate and empathetic supervision shall be provided in the lunchroom. Food or beverages other than the school lunch or school breakfast, extra milk or other approved foods shall not be served in the dining area at the time the meal is served. Meals may not be denied to any child for disciplinary purpose, and must be the same meal served to other students.

Prices charged for adult and student meals and/or milk shall be approved annually by the Department. Lunches and breakfasts shall be priced as a unit.

Extra milk served under the Special Milk Program in schools with no food services and/or schools with split session kindergarten programs shall be fluid milk which meets state and local standards. Reimbursement under the Special Milk Program shall be claimed only for fluid milk which meets state and local standards and is served in schools or institutions with no reimbursed food service. Reimbursement may be claimed only for fluid milk purchased and served to children.

The SPONSOR agrees that all lunches claimed for reimbursement meet the nutritional requirements for the school lunch and that all breakfasts claimed for reimbursement meet the nutritional requirements of the school breakfast. Schools and institutions shall cooperate with the Department in developing procedures for diminishing the waste of foods without endangering nutritional integrity. Only one breakfast and/or one lunch per day may be claimed for reimbursement for each participating student.

The school lunches claimed for reimbursement must meet the requirements prescribed by the Department and the United States Department of Agriculture and must be served during a period or periods designated as the lunch period. The school breakfasts claimed for reimbursement must meet the requirements prescribed by the Department and the United States Department of Agriculture and must be served during a period that is near the beginning of the school day. The Sponsor and its participating schools and institutions shall endeavor to follow menu suggestions given by the Department and/or Sponsor and shall initiate varied types of menus, even though it may on occasion mean serving foods with which some students are unfamiliar. Substitutions may be made in food if the individual participating children are unable, because of medical or other special needs to consume such foods. Such substitutions shall be supported by a statement from a recognized medical authority that includes recommended alternate foods.

The SPONSOR agrees that all schools and/or institutions under its jurisdiction will serve meals to children with disabilities even when the child's disability restricts her/his diet. These special dietary needs must be verified by a statement from a medical doctor and must include prescribed alternate foods. If an emergency should arise preventing a school or institution from temporarily obtaining delivery of milk, the Department may approve the service of meals with an available alternate milk or without milk during the emergency period.

This agreement may be terminated upon ten days written notice on the part of either party hereto and the Department may terminate the agreement immediately upon receipt of evidence that the terms and conditions of this agreement or of the regulations have not been complied with by the Sponsor. Any termination of this agreement shall be in accord with applicable laws and regulations.

A SPONSOR that operates its food service program on contract with a food service management company shall remain responsible for assuring that the nutrition programs are in conformance with its agreement with the Department.

The DEPARTMENT may make adjustments in rates of reimbursement in accordance with the availability of funds or in order to comply with the provisions of the National School Lunch Act or the Child Nutrition Act. Notice of such adjustments shall be given as far in advance as is practicable.

SIGNATURES

STATE DEPARTMENT OF EDUCATION

(State Agency)

BY:

(County) or (Sponsoring Agency)

STATE SUPERINTENDENT OF SCHOOLS

APPROVED:

(County Superintendent) or (Director)

State Director, Office of Child Nutrition

Date

Date

**WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305**

**POLICY STATEMENT
FOR
PROVISION OF FREE AND REDUCED PRICE SCHOOL MEALS OR FREE MILK
The National School Lunch Act and Child Nutrition Act**

The _____
(County Board of Education or Nonpublic School or Child and Adult Care Sponsor)

has entered into agreement with West Virginia Department of Education to participate in the National School Lunch Program and/or the School Breakfast Program, the Child and Adult Care Food Program or the Special Milk Program, and/or to receive commodities donated by the United States Department of Agriculture and accepts responsibility for providing free and reduced price meals or free milk to eligible participants in the school(s), institution(s) or center(s) under its jurisdiction.

The County Board of Education or the Nonpublic School or the Child and Adult Care Institution or Sponsor assures the West Virginia Department of Education that the school system, the institution or sponsor will uniformly implement the following policy to determine the eligibility of participants for: (1) Free and reduced price meals in all classrooms and/or schools and/or institutions and/or centers or homes under its jurisdiction which are participating in the National School Lunch Program and/or the School Breakfast Program and/or the Child and Adult Care Food Program and/or which are receiving government-donated foods; or (2) Free milk in all schools and/or institutions in its jurisdiction that are participating only in the Special Milk Program or schools that serve milk only to split session Kindergarten children.

In fulfilling its responsibilities the County Board of Education or the Nonpublic School or Child and Adult Care Institution or Center or Home agrees:

- A. To serve meals free or at reduced price to participants from families whose income is at or below that listed in Attachment A, Columns 1 through 6.
- B. To serve milk free to children from families whose income is at or below that listed in Attachment A, Columns 1-3 (in schools/centers/institutions/homes with no food service and in schools with split session Kindergarten).
- C. To provide these benefits to any participant whose family's total household income before deductions fall within the criteria given in Attachment A at the time the application is submitted.
- D. To ensure that there shall be no physical segregation of or other discrimination made by the school, institution, center or home against any participant eligible for a free or reduced price meal or for free milk. The names of participants eligible to receive free or reduced price meals and free milk shall NOT be posted, published or announced in any manner and there shall be no overt identification of any participant by use of special tokens or tickets or by any other means. Further assurance is given that participants eligible for free or reduced price

meals or free milk shall: (1) not be required to work for their meals or milk, (2) not be required to use a separate lunch or service area, (3) not be required to go through a separate serving line, (4) not be required to enter the lunchroom/dining area through a separate entrance, (5) not be required to eat meals or drink milk at a different time and (6) have the same choices of meals and of milk as the paying participant.

- E. That in the operation of nutrition programs, no participant shall be discriminated against because of his/her race, color, national origin, gender, age or disability.
- F. To verify by December 15, in accordance with program regulations a prescribed number of applications and to maintain records as follows: (1) a summary of the verification efforts; (2) the total number of applications on file by October 31; and (3) the percentage of number of applications verified. Compliance with these requirements will be monitored by the West Virginia Department of Education as part of its supervisory assistance, monitoring and verification efforts.
- G. To establish charges for meals served as follows: a reduced-price lunch or supper not to exceed 40 cents, a reduced price breakfast not to exceed 30 cents, and a reduced-price supplement not to exceed 15 cents.
- H. To establish and use a fair hearing procedure for any parent's/adult household member's appeal(s) of the (sponsor's) decisions on applications, and for challenges to the continued eligibility of any participant for free or reduced price meals or free milk. During the appeal and hearing, the participant who was determined eligible based on the face of the application submitted will continue to receive free or reduced price meals or free milk. A record of all such appeals and challenges and of their dispositions shall be retained for three years.

Prior to initiating the hearing procedure, the parent/guardian/adult household member or local official may request a conference to provide an opportunity for the household member and official to discuss the situation, present information, and obtain an explanation of data submitted in the application and decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing.

The hearing procedure shall provide the following for both the family and the sponsor:

1. A publicly-announced, simple method for making an oral or written request for a hearing.
2. An opportunity to be assisted or represented by an attorney or other person.
3. An opportunity to examine, prior to and during the hearing, the documents and records presented to support the decision under appeal.
4. Reasonable promptness and convenience in scheduling a hearing and adequate notice as to the time and place of the hearing.
5. An opportunity to present oral or documentary evidence and arguments supporting its position without undue interference.

6. An opportunity to question or refute any testimony or other evidence and to confront and cross-examine any adverse witness.
 7. That the hearing be conducted and the decision made by a hearing official who did not participate in the decision under appeal or in any previous conference.
 8. That the decision of the hearing official be based upon the oral and documentary evidence presented at the hearing and entered into the hearing record.
 9. That the parties concerned and any designated representative thereof be notified in writing of the decision.
 10. That for each hearing a written record be prepared, including the decision under appeal, any documentary evidence and a summary of any oral testimony presented at the hearing, the decision of the hearing official and the reasons therefor, and a copy of the notification to the parties concerned of the hearing official's decision.
 11. That such written record be retained for a period of 3 years after the close of the school/fiscal year to which they pertain. These records must be made available for examination by the parties concerned or their designees at any reasonable time and place during such period.
- I. To designate by name and title the county food service director, school principal, assistant principal, center director or other assigned staff to review applications for free and reduced price meals or milk and make determinations of eligibility. Such officials will use the criteria outlined in this policy to determine which individual participants are eligible for free and reduced price meals or free milk.
 - J. To make available, at the beginning of each school year, and whenever there is a change in the eligibility criteria, to the parent, guardian or adult household member of each participant attending the schools, centers or institutions participating in the School Lunch, School Breakfast, Child and Adult Care Food Program, Commodity Programs or Special Milk Program a copy of Form WVDE 43-10-20, Application for Free and Reduced Price Meals, or Form WVDE 43-10-20 Milk, Application for Free Milk.

Interested parents, guardians or adult household members are responsible for filling out the Application and returning the completed Application to the county office, school or site. Such applications and documentation of all determinations made on all applications shall be maintained at each school, center or institution for 3 years after the end of the school/fiscal year to which they pertain.

Applications for Free and Reduced Price Meals or Applications for Free Milk may be filed at any time during the year. Any parent, guardian or adult household member who enrolls a participant for the first time shall be supplied with a copy of Form WVDE 43-10-20 regardless of the time of year the participant is registered.

K. APPLICATION APPROVAL PROCESS

1. Prior to the review and approval of applications for the 1995-96 school year, free and reduced price meals and free milk shall be served to participants from households with approved applications on file from last year. This includes: (a) those participants who attended the school/center last year; (b) new students in a school with older siblings who were approved free or reduced price last year; (c) previously approved participants who transfer from one school/center to another under the jurisdiction of the same school food authority or sponsoring organization.
2. Each incoming application shall be reviewed at the school/center to determine that it is complete. The following information must be provided before an eligibility determination can be made:

HOUSEHOLD ENROLLING CHILDREN

- (a) For Food Stamp/AFDC Assistance units:
 - (1) name of child;
 - (2) the child's food stamp or AFDC case number; and
 - (3) signature of an adult household member.
- (b) Other Households enrolling children:
 - (1) name of child;
 - (2) names of all household members;
 - (3) social security number of the household member who signs the application or an indication that the household member does not have a social security number;
 - (4) the amount of income received by each household member identified by source (wages, welfare, alimony/child support); and
 - (5) signature of an adult household member.

HOUSEHOLDS ENROLLING DAY CARE ADULTS

- (c) For Food Stamp/SSI/Medicaid participants:
 - (1) name of participant(s);
 - (2) the participant's food stamp, SSI or Medicaid number; and
 - (3) signature of an adult household member.
- (d) Other Households enrolling day care adults;
 - (1) name of participant;
 - (2) name(s) of participant's spouse and dependent(s) residing with the participant;
 - (3) social security number of participant, participant's dependent(s) and spouse residing with the participant;
 - (4) the amount of income received by participant, dependent(s) and spouse residing with the participant; and
 - (5) signature of an adult household member.
- (e) Any other information requested on the application, but not provided by the household must not delay approval of the application.

3. Eligibility Determination:

- (a) Participants currently receiving food stamp, AFDC assistance, SSI or Medicaid assistance shall be approved for free benefits if the application contains the participant's name, the food stamp/AFDC case number/SSI or Medicaid number and the signature of an adult household member.
- (b) Households that do not claim food stamp/AFDC/SSI or Medicaid eligibility must provide household size and income information to enable comparison against the current income eligibility guidelines. If the total reported income is within the eligibility limits, the participant shall be approved for either free or reduced price benefits, as applicable.

4. Household Notification:

- (a) All households must be promptly notified of their eligibility status.
- (b) Households denied benefits must be given written notification of the reason for denial and of appeal rights and procedures. The household shall be advised that they may reapply at any time during the school year if their circumstances change. The reasons for denial shall be noted and kept on file together with the date the denial notice is sent and the name of the denying official.

5. If a participant transfers from one school, center, home or institution to another under the jurisdiction of this County Board of Education or Sponsor, his/her eligibility for free or reduced price meals or, if so offered, free milk will be transferred to and honored by the receiving school, center, home or institution, provided that the receiving school, center or institution participates in the School Lunch and/or School Breakfast Programs, the Child and Adult Care Food Program or in the Commodity Only Program or the Special Milk Program. The school/center/institution from which the participant transferred shall retain a copy of the participant's application.

6. It is recognized that in certain cases foster children are also eligible for these benefits. If a household has foster children living with them and wishes to apply for such meals or milk for these children, the household will be instructed to contact the school, center, institution or home.

7. The designated hearing official for this County Board of Education or this Nonpublic School or this Institution or this Center or this Home is:

Name* _____ Title _____

Address _____

*(Note: This person must be someone not involved in the original eligibility determinations. It is suggested that the designated hearing official hold a position at a higher administrative level than that of the determining official.)

- L. To submit a public/press release containing both the free and reduced price eligibility guidelines and all other information outlined in the parent/guardian/adult household member letter to the local news media, local unemployment offices and major employers contemplating or experiencing large layoffs.
- M. To establish a procedure to collect money from participants who pay for their meals or milk and to account for the number of free, reduced price and full price meals served or for the number of half-pints of free and full price milk served. The procedure described in Attachment B will be used. No other participant in the school, center, home or institution will consciously be made aware by such procedure of the identity of the participants receiving such benefits and an accurate meal time count will be made and recorded daily.
- N. To submit to the West Virginia Department of Education for approval any alterations or amendments to the policy, including eligibility criteria, applications, public announcements, or collections of payments, prior to implementation. Such changes will be effective only upon approval. All changes in eligibility criteria must be publicly announced in the same manner used at the beginning of the school year.

ATTACHMENTS: The following attachments are adopted with and considered a part of this Policy Statement:

- Attachment A Income Eligibility Criteria for Free and Reduced Price Meals and Free Milk
- Attachment B Point of Service Count and Collection Procedure for Meal Payment
- Attachment C Public Release
- Attachment D Offer Versus Serve Policy Report and Lunch Option Selection
- Attachment E Income Eligibility Application and Parent/Household Letters
- Attachment F Notice of Households of Approval/Denial
- Attachment G Notice of Selection for Verification
- Attachment H Notice of Adverse Action

THE POLICY STATEMENT OUTLINED ABOVE WAS APPROVED BY THE _____ COUNTY BOARD OF EDUCATION OR THE BOARD OF DIRECTORS ON _____.

APPROVED BY:

County Superintendent of Schools or
Administrator, Nonpublic School or
Child Care Institution, or
Director, Child and Adult Care
Food Program

Director, Office of Child Nutrition
West Virginia Department of Education

Date

Date

Copies of this Policy Statement, including Attachments A, B, C, and D will be issued to each participating school or institution by _____(Date).

**GUIDELINES TO DETERMINE PARTICIPANT ELIGIBILITY
FOR FREE AND REDUCED PRICE MEALS
School Year 1995-96**

ANNUAL FAMILY INCOME BEFORE DEDUCTIONS

FAMILY SIZE	ELIGIBLE FOR FREE MEALS OR FREE MILK			ELIGIBLE FOR REDUCED PRICE MEALS		
	YEARLY	MONTHLY	WEEKLY	YEARLY	MONTHLY	WEEKLY
ONE	\$ 9,711	\$ 810	\$187	\$13,820	\$1,152	\$266
TWO	13,039	1,087	251	18,556	1,547	357
THREE	16,367	1,364	315	23,292	1,941	448
FOUR	19,695	1,642	379	28,028	2,336	539
FIVE	23,023	1,919	443	32,764	2,731	631
SIX	26,351	2,196	507	37,500	3,125	722
SEVEN	29,679	2,474	571	42,236	3,520	813
EIGHT	33,007	2,751	635	46,972	3,915	904
FOR EACH ADDITIONAL FAMILY MEMBER, ADD						
	3,328	278	64	4,736	395	92

POINT OF SERVICE COUNT AND COLLECTION PROCEDURES FOR MEAL PAYMENTS

PLEASE NOTE:

1. In collecting payments for meals and in distributing tickets, tokens or bills, officials must ensure that there is no overt identification of recipients of free or reduced meals: (a) at the time the meal payment is made, (b) at the time the ticket or invoice is issued, and (c) in the serving line.
2. Any payment collection system must have a built-in accounting system. Daily records must document the amount of reduced, and fully paid participant and nonparticipant payments collected and the number of free, reduced price, and fully paid participant and non participant meals that actually were served. Keeping these counts is a federal regulatory requirement. The use of "slash marks" as a hand tally device does not meet federal regulatory requirements.

Furthermore, the meal counts must be taken at the point of service where a determination can accurately be made that a reimbursable meal has been served to an eligible participant. For all practical purposes, this is at the end of the serving line.

Attachment B. serves as documentation of the system that will be used by each school, institution, center or home during the current school year for daily meal counts and the collection of meal payments. If more than one method is used within the school district or sponsoring agency each method must be described and the sponsor must indicate which (school) site uses which system.

Any methods not listed below must be submitted in detail to WVDE for approval prior to implementation.

POINT OF SERVICE COUNT AND MEAL PAYMENTS COLLECTION

In all schools/centers/homes/institutions participating in the school lunch and/or the school breakfast programs, and/or Child and Adult Care Food Program the following procedures will be used during the current school year:

METHOD 1

Before the beginning of class, participants go to the office to make daily (or weekly) payments for their meals. The meal payments are collected in such a manner that other participants are unable to detect those who pay reduced prices. Meal payments are counted and recorded in the office. Each day the appropriate numbers of coded daily meal tickets (including those for free meals) are sent to the individual classrooms. At mealtime, the tickets are collected from the participants as each participant receives her/his reimbursable meal. The tickets are distributed and taken by the participants to the dining area where these are collected after the meal is served. The coded daily tickets are counted by category to arrive at an accurate daily point of service count. The following schools/centers/institutions use Method 1:

METHOD 2

Participants pay for their meals in the office or classroom at the beginning of the school day. The meal payments are collected in such a manner that other participants are unable to detect those who pay reduced prices. As the participants receive their reimbursable meals, a coded check off list (roster) containing the names of all participants and identifying those who have paid (full and reduced price) and participants eligible for free meals is clearly marked by an individual familiar with the participants. At the end of the meal service period names on the roster are counted by category (free, reduced, paid) and an accurate count is recorded on the daily record of program operation. The following schools/centers/institutions use Method 2:

METHOD 3

Participants I.D. cards, with coded participant number, are issued to each participant. When a reimbursable meal has been served to the participant, the I.D. card is scanned electronically or the I.D. number is manually entered into the computer. A computer generated meal count by category, (free, reduced price, and fully paid participants and nonparticipants) provides information for the claim for reimbursement. Participants may pay in advance, weekly or monthly or be billed weekly or monthly. The following schools/centers/institutions use Method 3:

METHOD 4

At or near the beginning of the term each participant is assigned a coded identification number indicating whether the participant is entitled to free, reduced price or fully paid meal service. As participants receive a reimbursable meal, they report this number to a responsible person who records the identification number on an adding machine tape or some other device. At the end of the serving period, a count of free, reduced price and fully paid meals is constructed from the coded list. Households pay for the meals in advance or are billed for meals consumed during a specific billing period. The following schools/centers/institutions use Method 4:

**PUBLIC RELEASE OF COUNTY OR NONPUBLIC SCHOOL OR
CHILD AND ADULT CARE SPONSOR
ON FREE AND REDUCED PRICE MEALS AND FREE MILK**

The _____ County Board of Education (or the Institution, Center, Home or Nonpublic School) today announced its policy for (free and reduced price meals) (free milk) for participants who are unable to pay the full price for meals or milk served in schools, centers, institutions or homes that participate in the National School Lunch or Breakfast Programs the Child and Adult Care Food Program or in the Special Milk Program only.

The County Board of Education (or the Nonpublic School, Institution, Center or Home) has adopted the following family size income criteria for use in determining the eligibility of participants for free and reduced price meals and free milk:

**GUIDELINES TO DETERMINE PARTICIPANT ELIGIBILITY
FOR FREE AND REDUCED PRICE MEALS
School Year 1995-96**

ANNUAL FAMILY INCOME BEFORE DEDUCTIONS

FAMILY SIZE	ELIGIBLE FOR FREE MEALS OR FREE MILK	ELIGIBLE FOR REDUCED PRICE MEALS
ONE	_____ \$ 9,711	_____ \$13,820
TWO	_____ 13,039	_____ 18,556
THREE	_____ 16,367	_____ 23,292
FOUR	_____ 19,695	_____ 28,028
FIVE	_____ 23,023	_____ 32,764
SIX	_____ 26,351	_____ 37,500
SEVEN	_____ 29,679	_____ 42,236
EIGHT	_____ 33,007	_____ 46,972

FOR EACH ADDITIONAL FAMILY MEMBER, ADD	3,328	4,736
---	--------------	--------------

Participants from households whose income is at or below the levels shown are eligible for free and reduced price meals (or for free milk).

Application forms are being sent to some homes with a letter to parents, guardians or adult household members. All parents, guardians or adult household members wishing to apply for free or reduced price meals or free milk may fill out the application form sent home by the school, center, institution or home. Additional copies of the application are available at all sites and county offices. The information provided on the application is confidential information to be used only for the purposes of determining eligibility of the participant. If Part VII of the application is checked and signed, information may be released to the indicated agency. An application may be submitted at

any time during the school year, but must be submitted annually for continued eligibility. Information given on the application may be verified at any time during the school year by school or program officials.

So that the school or program officials can determine eligibility for free or reduced price benefits, the household applying for a child must provide all of the following information listed on the application: Names of all household members; social security number of the household member who signs the application or a statement that the household member does not possess one; amount and source of income received by each household member; and the signature of an adult household member certifying that the information provided is correct. To determine eligibility for free or reduced price benefits for adult participants, the household or adult participant must provide the following information on the application: name of adult participant and adult participant's dependent(s) and spouse residing with the participant; social security number of the adult household member who signs the application, or a statement that the person does not possess one; participant's income and dependent(s) and spouse's income, if residing with the participant; and the signature of participant or adult household member. Households including the participant applying, currently receiving food stamps, AFDC, SSI or Medicaid benefits for participants may submit their Food Stamp, AFDC Program Case Number, SSI or Medicaid number instead of income information. Households are required to report increases in household income of over \$50 per month or \$600 per year and decreases in household size.

Food stamp, AFDC, (or in the case of Adult Day Care SSI and Medicaid), households only have to provide the participant's name and current food stamp, AFDC case number, SSI and Medicaid number and an adult household member's signature. In certain cases, foster children are also eligible for these benefits. If a family has foster children living with them and wishes to apply for free or reduced price meals and milk for them the school principal or program director should be contacted.

Under the provision of the free and reduced price meal and free milk policy the school principal or program director will review applications and determine eligibility. If a parent, guardian, or adult household member is dissatisfied with the decision, he/she may wish to discuss the decision with the principal or director on an informal basis. If the parent, guardian or adult household member wishes to make a formal complaint, he/she may make a request either orally or in writing to:

Name _____ Telephone _____

Address _____

for a hearing to appeal the decision. The county (or private school, institution, center or home) policy contains an outline of the hearing procedures.

If during the school year a family member becomes unemployed or if family size changes, the family should contact the school, institution, center or home to file an application.

The same meals will be available to all enrolled participants at no separate charge regardless of race, color, disability, gender, age or national origin, and there is no discrimination in the course of the meal service. Any complaints of discrimination should be submitted to the Administrator, Food and Nutrition Service, USDA, Park Center Drive, Alexandria, Virginia 22302.

Each school, child and adult care center, institution or home and the office of the county board of education has a copy of the complete policy which may be reviewed by any interested party.

This is the public release we will send to:

(Enter names of news media outlets, unemployment offices and major employers contemplating or experiencing layoffs.

on _____ (Date).

These groups must be advised of program availability, new programs or changes in existing programs.

OFFER VERSUS SERVE POLICY REPORT

The _____ adheres to child nutrition program regulations
(Name of Sponsoring Agency)
concerning the provision for "Offer versus Serve" as indicated below.

7 CFR, Part 210.10 (e) Offer versus Serve. Each school shall offer its students all five required food items as set forth in. . . [the school lunch pattern]. Senior high students shall be permitted to decline up to two food items. Students below the senior high level may be permitted to decline up to two food items, or only one food item, at a discretion of the school food authority. The price of a reimbursable lunch shall not be affected if a student declines food items or accepts smaller portions.

- _____ 1. All senior high school students are offered five complete food items, but have the option to take three of the five food items.
- _____ 2. Junior high and middle school students are offered five complete food items daily and have the option to take:
 - _____ a. three of the five food items.
 - _____ b. four of the five food items.
- _____ 3. Elementary school students are offered five complete food items daily and have the option to take:
 - _____ a. three of the five food items.
 - _____ b. four of the five food items.

7 CFR, Part 220.8 (3) Offer versus Serve. Each school shall offer its students all four required food items as set forth under. . . [the school breakfast pattern]. At the option of the school food authority, each school may allow students to refuse one food item from any component that the student does not intend to consume. The . . . [offer versus serve] option shall not affect the charge for breakfast.

The following schools allow the offer versus serve option at breakfast:

The following schools do not allow offer versus serve at breakfast:

LUNCH OPTION SELECTION

To implement Standards for School Nutrition, policy 4321.1, the county chooses the following option for lunch implementation (check one):

_____ Lunch Implementation Option A, 4.1, USDA Pattern plus nutrient analysis.

_____ Lunch Implementation Option B, 4.2, West Virginia Department of Education component-based standard.

WEST VIRGINIA DEPARTMENT OF EDUCATION

ATTACHMENT E

Charleston, West Virginia 25305
Application for Free or Reduced Price Meals, and Free
Textbooks, Workbooks, and Educational Supplies

PART I: ENROLLED CHILDREN'S INFORMATION - TO BE COMPLETED BY ALL APPLICANTS

CHILD'S NAME	AGE	SCHOOL, CENTER or CAMP	GRADE	HOMEROOM
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

PARTS II, III AND IV: COMPLETE THE PART THAT APPLIES TO YOUR FAMILY

PART II: FOOD STAMPS/AFDC HOUSEHOLDS NOW RECEIVING BENEFITS - If you receive food stamps/AFDC, complete this part and sign the application.

____ Yes, I receive Food Stamps for the children listed in Part I

My case number is: _____

____ Yes, I receive AFDC for the children listed in Part I.

PART III: FOSTER CHILD - If you have a foster child, complete this part and sign the application.

Child's Name _____ Child's Monthly Personal Use Income _____

PART IV: ALL OTHER HOUSEHOLDS - If you do not receive Food Stamps or AFDC, complete this part and sign the application.

- List all members living in your household. Include parents, children, grandparents and all people related or unrelated who live in your household.
- List monthly income by category. List income (BEFORE TAXES) each person received last month and its source: Example: Wages, Social Security, Pension, Retirement, Welfare, Child Support, or Alimony.

NAMES OF ALL OTHER HOUSEHOLD MEMBERS (Oldest to Youngest)	AGE	MONTHLY EARNINGS FROM WORK (Before Deductions)	MONTHLY WELFARE, PENSIONS, PAYMENTS RETIREMENT, CHILD SUPPORT, SOCIAL SECURITY, ALIMONY	ALL OTHER INCOME RECEIVED
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL NUMBER OF PERSONS IN HOUSEHOLD _____ MONTHLY INCOME (Before Deductions) \$ _____

PART V: RACE/ETHNIC IDENTITY - You are not required to answer this question

____ WHITE non Hispanic _____ BLACK non Hispanic _____ HISPANIC

____ ASIAN or PACIFIC ISLANDER _____ AMERICAN INDIAN or ALASKAN NATIVE

NO CHILD WILL BE DISCRIMINATED AGAINST BECAUSE OF RACE, GENDER, COLOR, NATIONAL ORIGIN, AGE OR DISABILITY

PART VI: SIGNATURE - An adult household member must sign this application before it can be approved

PENALTIES FOR MISREPRESENTATION - I certify that the information provided is correct and that all income was reported. I understand that this information is being given for the receipt of federal funds and that deliberate misrepresentation of the information may subject me to prosecution under applicable state and federal law.

If you do not give a FOOD STAMP or AFDC case number, Federal Law (PL 97-35) requires you to list the social security number of the household member who signs the application before your child may receive free or reduced price meals. You do not have to give a social security number, but if you refuse, unless you indicate you have none, your child cannot receive free or reduced price meals. The social security number may be used to identify you for verifying the information you report on this application. The social security number may be released to Medicaid officials for identification purposes. Verification may include audits, investigations, contacting the state employment security office, food stamp or welfare office, employers, and checking the written information provided by the household to confirm the information received. If incorrect information is discovered, a loss of benefits or legal action may occur.

SIGNATURE OF ADULT:

X _____

Social Security Number of Signer or the word "NONE": _____

DATE: _____

Your application cannot be approved without a Social Security Number or an indication that you have "NONE".

FOR INSTITUTION USE ONLY:

Approved for Free Textbooks, Workbooks, School Supplies _____

Approved: Free Meals _____ Temporary Free _____ Reduced Meals _____ Temporary Reduced _____

Application Denied: _____ Reason for Denial: _____

Signature/Stamp of Approving official _____ Date _____

PART VII: OTHER BENEFITS - You do not have to complete this part to get free and reduced price meals.

____ Yes, school officials may give my name, address, and Social Security number to the Medicaid office so that they can send me information about getting a Medicaid card for my child

____ Yes, school officials may use the information provided on this application to determine my children's eligibility for free textbooks, workbooks, and other school supplies.

____ Yes, school officials may use the information provided on this application to determine my children's eligibility for special services and assistance under the Carl D. Perkins Vocational and Technical Education Act of 1990.

THE INFORMATION ON THIS FORM MAY BE USED ONLY TO ASSIST IN THE DETERMINATION OF ELIGIBILITY FOR THE PROGRAMS THAT I HAVE INDICATED. I UNDERSTAND I WILL BE RELEASING INFORMATION THAT WILL SHOW THAT I AM APPLYING FOR FREE AND REDUCED PRICE BENEFITS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM. OFFICIALS FROM THE MEDICAID PROGRAM MAY VERIFY MY NAME AND ADDRESS. SCHOOL OFFICIALS MAY VERIFY ALL THE INFORMATION ON THIS FORM. I GIVE UP MY RIGHTS TO CONFIDENTIALITY FOR THESE PURPOSES ONLY.

I certify that I am the parent/guardian of the child(ren) for whom application is being made

SIGNATURE (Parent/Guardian) _____ DATE _____

DEAR PARENT OR GUARDIAN:

This letter is sent to you each year by your child's school, center or camp. It explains how your family can apply for free or reduced meals, free workbooks, free textbooks and school supplies. Also, it allows you to indicate an interest in sharing this information with school officials to determine your child's eligibility to receive vocational education benefits. Additionally, it allows you to indicate an interest in receiving information on Medicaid.

MEAL BENEFITS: Reduced Price Breakfast = 30 cents Reduced Price Lunch = 40 cents

MEAL BENEFITS FOR CHILDREN WITH DISABILITIES: Schools shall make substitutions in foods for children whose disabilities restrict their diet. For more information, contact school officials.

MEAL BENEFITS FOR FOSTER CHILDREN: In certain cases, foster children are eligible for free or reduced price meals regardless of income. If you have a foster child, please contact school officials.

ELIGIBILITY

Look at the chart. Find your household size. **HOUSEHOLD IS:** All persons, including parents, children, grandparents and all people related or unrelated who live in your home and share living expenses. Find your total household income. **TOTAL HOUSEHOLD INCOME IS:** The income all household members receive before taxes. This includes wages, social security, pension, retirement, welfare, child support, alimony, or any other cash income.

INCOME GUIDELINES FOR REDUCED PRICE MEALS

July 1, 1995 - June 30, 1996

HOUSEHOLD SIZE	TOTAL HOUSEHOLD INCOME BEFORE DEDUCTIONS:	
	YEARLY	MONTHLY
ONE	\$13,820	\$1,152
TWO	18,556	1,547
THREE	23,292	1,941
FOUR	28,028	2,336
FIVE	32,764	2,731
SIX	37,500	3,125
SEVEN	42,236	3,520
EIGHT	46,972	3,915
For Each Additional Household Member, ADD	4,736	395

If your total income is the **SAME OR LESS** or you receive food stamps or AFDC for your children, fill out the application and return it to the school, center or camp. You will be notified if the application is approved or denied.

WHAT IS A COMPLETE APPLICATION?

1. For a family receiving food stamps/AFDC, a complete application includes: child's name (Part I), case number (Part II) and adult signature (Part VI).
2. For a family keeping a foster child, a complete application includes: child's name (Part III), child's personal use income (Part III), child's signature (Part VI).
3. For all other households, a complete application includes: child's name (Part I), household members (Part IV), monthly income (Part IV), source of income (Part IV), social security number of the adult signing the application or the word "NONE" if you do not have one (Part VI), and adult signature (Part VI).

PRIVACY

The information that you sent will be used to determine or prove your child's eligibility for free or reduced price meals. This information may also be used for free textbooks, workbooks and other school supplies. Your name and address may be shared with the Department of Health and Human Resources to send you Medicaid information or with school officials to determine your child's eligibility to receive vocational education benefits. If you want free books, and other school supplies, Medicaid information or vocational education benefits for your child, check the blanks in Part VII on the form and sign Part VII.

PROOF OF INCOME

The information you provide may be checked by the school, camp, or center's staff at any time. You may be asked to send information to prove your child is eligible to receive free and reduced price meals.

REPORTING CHANGES

You must report to your child's school, center or camp:

1. Any change in your income of \$50 per month or \$600 per year.
2. Any change in your household size, and
3. When you no longer receive food stamps or AFDC for your child.

FAIR HEARING

If you do not agree with the decision on your child's application or the process used to prove income eligibility, you may talk with school, center or camp officials. You have the right to a fair hearing which may be arranged with the county superintendent, or center or camp director.

REAPPLICATION

You may apply for benefits any time during the school year. If you should have a decrease in household income, an increase in household size, or become unemployed, fill out an application at that time.

NONDISCRIMINATION

Children who receive free or reduced price meals are treated the same as children who pay for meals. No child will be discriminated against because of race, gender, color, national origin, age, or disability in the operation of the child nutrition programs. If you believe you have been discriminated against, write to the Secretary of Agriculture, Washington, D.C. 20250.

WEST VIRGINIA DEPARTMENT OF EDUCATION
 Charleston, West Virginia 25305
APPLICATION FOR FREE MEALS OR REDUCED PRICE MEALS
NOTICE OF APPROVAL, CHANGE OR TERMINATION OF BENEFITS

TO:

 (Name of Parent, Guardian or Adult Household Member)

 (Address)

FROM:

 (Name of School or Institution or Center)

Your Application for Free Meals or Reduced Price Meals for (name(s)) _____

has been reviewed on the basis of the current Income Guidelines set by the United States Department of Agriculture.

EFFECTIVE ON _____

_____ Your application for free or reduced price meals has been denied.

_____ Your application has been approved for free meals, and (in public schools) free textbooks, workbooks, and instructional supplies, pending a request for verification.

_____ Your application has been approved for reduced price meals, and (in public schools) free textbooks, workbooks, and instructional supplies, pending a request for verification.

_____ Your application has been temporarily approved for free meals, pending a request for verification.

_____ Your application has temporarily approved for reduced price meals, pending a request for verification.

_____ Applicant(s) is/are eligible for free meals rather than reduced price meals.

REASON FOR DENIAL OR CHANGE IN BENEFITS

 If you have any question, please contact your school or center.

You may apply or reapply for free or reduced meal benefits at any time during the school year. Applications are available at the school, institution or center.

During the year, if there is a change either in your household's total income or in your household size, you should notify your school, institution or center. A decrease in total income, an increase in family size, unemployment or temporary layoff may make your participant eligible for free or reduced price meals. All households with participants who are receiving free or reduced price meals must notify the appropriate official of any change in household size or of any increase in household income of over \$50 per month.

The information you give in the Application process will be used only for the purpose of establishing your child's eligibility for free or reduced price benefits or for free textbooks and instructional supplies or for Medicaid information or Vocational Education benefits information if you have so indicated. The request for Food Stamp, AFDC Case Number, SSI or Medicaid number does not mean that your benefits will be changed. The number will be used only for eligibility determinations.

If your Application is denied or if it is approved for reduced price benefits rather than free and if you disagree with the decision, you may discuss this with your school principal or institution or center director. If, after such discussion, you wish further review of the decision, you are entitled to a fair hearing. A request for a hearing may be made either by letter or by telephone. Please contact your county superintendent, or in the case of a private school, your school director, or the sponsor of the child care center, home or institution.

Program benefits and service are available to all participants, without regard to race, color, gender, disability, age or national origin. If you believe you have been discriminated against because of race, color, national origin, age, gender or disability, write to the Administrator, Food and Consumer Service, USDA, Park Center Drive, Alexandria, Virginia 22302.

SOCIAL SECURITY NUMBERS

If you do not show that you receive food stamps or AFDC for your child, you must show papers that prove your income and you must list the social security number of each adult household member. Write the word "none" if an adult household member does not have a social security number.*

1. _____ _/_/_/_/-_/_/_/-_/_/_/_
2. _____ _/_/_/_/-_/_/_/-_/_/_/_
3. _____ _/_/_/_/-_/_/_/-_/_/_/_
4. _____ _/_/_/_/-_/_/_/-_/_/_/_
5. _____ _/_/_/_/-_/_/_/-_/_/_/_
6. _____ _/_/_/_/-_/_/_/-_/_/_/_

*Privacy Act Statement: The National School Lunch Act requires that, unless you show that you receive food stamps or AFDC for your child, you must provide the social security number of each adult household member or indicate that the household member does not have a social security number. Provision of a social security number is not mandatory, but if a social security number is not provided for adult household member who signs the application or an indication made that the adult household member does not have a social security number, benefits will be terminated. The social security number may be used to identify household members in verifying the correctness of information stated on the application and continued eligibility for the program. These verification efforts may be through program reviews, audits, and investigations and may include contacting employers to determine income, contacting a food stamp or welfare office to determine current certification for receipt of food stamps or AFDC benefits, contacting the State employment security office to determine the amount of benefits received and checking the documentation produced by household members to prove the amount of income received. These efforts may result in a loss or reduction of benefits, administrative claims or legal actions if incorrect information is reported. This information must be provided to the attention of each adult household member disclosing his/her social security number.

PROTOTYPE LETTER TO PARENTS/GUARDIANS

Date _____

Dear _____:

Federal regulations require that information contained on three/one and one-half percent of all approved applications for free/reduced school lunches be verified. These regulations outline the information to be verified and acceptable documentation (proof) which may be provided for verification purposes.

Through a random/focused selection process, an application approved for (free/reduced) meals for _____ (name) on _____, 199__ (date) has been selected for verification. Attached is information outlining what must be provided by you so that the application can be verified. Please read this information carefully and submit the proper document(s) to me within ten days. Failure to provide this information within the allotted ten day period will result in the loss of _____ (free/reduced) meals for _____ (name).

Child nutrition programs are available to all children without regard to race, color, disability, national origin, gender or age. If you believe you have been discriminated against because of race, color, national origin, age, gender or disability, write to the Administrator, Food and Nutrition Service, USDA, Park Center Drive, Alexandria, Virginia 22302. If you require further information or need assistance, please call me at _____.

Sincerely,

Principal

School

Street and/or Post Office Box

Zip Code

PARENT LETTER

DIFFERENCE BETWEEN DOCUMENTATION AND APPLICATION

Date _____

Dear _____:

We have reviewed the document(s) submitted as proof of income. The proof checked below does NOT agree with the information on your application for free or reduced price meals.

FOOD STAMP ELIGIBILITY

_____ Wrong family

_____ Not current for last month

_____ Other _____

PAYCHECK STUB, PAY ENVELOPE, LETTER FROM EMPLOYER, SELF EMPLOYED PROOF OF INCOME

_____ Not current for last month

_____ Income reported higher than on application

_____ Income reported lower than on application

_____ Other _____

BENEFIT NOTICE/LETTER OR COPY OF CHECK FROM _____

_____ Not current for last month

_____ Income reported higher than on application

_____ Income reported lower than on application

_____ Other _____

(OVER)

WRITTEN STATEMENT EXPLAINING NO HOUSEHOLD INCOME

_____ Statement shows that there is income

_____ Statement does not fully explain household conditions

_____ Other _____

As a result of this difference, unless you can provide adequate proof of eligibility within ten (10) days (by _____) or submit a new application (enclosed), benefits to your child will:

_____ Change from reduced price meals to free

This change will occur only if you contact the school by the date listed above to explain the difference.

_____ Change from free meals to reduced priced meals at \$_____ for lunch and \$_____ for breakfast.

_____ Be stopped.

This change will remain in effect until you provide the information required. If you have any other proof to submit, please send it to the school and this decision will be reconsidered. Failure to reply within ten (10) days will result in the change noted above.

You may reapply at any time during the school year if your eligibility circumstances changes.

If you no longer receive Food Stamps/AFDC Benefits you may submit a new Free/Reduced application with confirming income information.

If you do not agree with this decision you may request a hearing by contacting _____ (hearing officer) at _____ (county office).

If you request a hearing, your child will continue to receive free or reduced price meals until the decision of the hearing official is made.

If you believe you have been discriminated against because of race, color, national origin, age, gender or disability, write to the Administrator, Food and Nutrition Service, USDA, Park Center Drive, Alexandria, Virginia 22302.

You have ten (10) days from the date of this letter to request such a hearing.

Sincerely,

School Principal

**WEST VIRGINIA DEPARTMENT OF EDUCATION
OFFICE OF CHILD NUTRITION
Charleston, West Virginia 25305**

APPLICATION AND AGREEMENT FOR THE SCHOOL LUNCH, SCHOOL BREAKFAST AND SPECIAL MILK PROGRAMS

NAME OF SCHOOL OR INSTITUTION _____

ADDRESS _____

COUNTY _____ TYPE OF PROGRAM: NEW _____ RENEWAL _____

CURRENT ENROLLMENT _____ AVERAGE DAILY ATTENDANCE _____ PROGRAM BEGINS _____

PROGRAM ENDS _____ NUMBER FOOD SERVICE WORKERS: FULL TIME _____ PART TIME _____

DOES THE SCHOOL OPERATE ITS MEAL SERVICE ON A FEE, CONCESSION OR CONTRACT ARRANGEMENT?

YES _____ NO _____ If "Yes", attach a copy of the current contract.

THE SCHOOL OR INSTITUTION LISTED ABOVE IS APPLYING FOR APPROVAL TO OPERATE THE CHILD NUTRITION PROGRAMS AS LISTED BELOW:

SECTION A. SCHOOL LUNCH PROGRAM _____ (check if appropriate)

Estimated number of lunches to be served daily: To children _____; To adults _____

Estimated number of lunches to be served daily to children: Free _____; Reduced price _____

Lunch Prices: Children: Regular price _____; Reduced price _____; Adult price _____

SECTION B. SCHOOL BREAKFAST PROGRAM _____ (check if appropriate)

Estimated number of breakfasts to be served daily: To children _____; To adults _____

Estimated number of breakfasts to be served daily to children: Free _____; Reduced price _____

Breakfast Prices: Children: Regular price _____; Reduced price _____; Adult price _____

SECTION C. SPECIAL MILK PROGRAM _____ (check if appropriate)

NOTE: Schools that applied for either the School Lunch and/or the School Breakfast Program in Section A or Section B above, may for children in split-session kindergarten **only** complete Section C.

Net delivered price (after discount) paid to supplier per 1/2 pint milk _____

Unflavored, low fat _____; Fluid, whole _____; Flavored _____; Other _____

Price to be charged children per 1/2 pint milk: Unflavored, low fat _____; Flavored _____

Fluid, whole _____; Other _____ (Specify type, e.g., buttermilk, milk shake, etc.)

LIST BELOW THE NAMES AND ADDRESSES OF VENDED AND/OR SATELLITED SITES THAT ARE SERVED BY THIS PROGRAM:

MEMORANDUM OF UNDERSTANDING

To effectuate the purposes of the National School Lunch Act and the Child Nutrition Act and federal/state regulations governing the School Lunch Program, the School Breakfast Program and the Special Milk Program, the West Virginia Department of Education, the County Board of Education or other Sponsoring Agency and the School or Institution completing this Application and Agreement do hereby agree:

1. The West Virginia Department of Education (hereinafter referred to as "Department") shall reimburse the Sponsoring Agency (hereinafter referred to as "Sponsor") to the extent of funds available, for lunches and/or breakfasts and/or special milk served to children in connection with the National School Lunch Act and the Child Nutrition Act during the fiscal year during which the Department's Agreement with the Sponsor and the Sponsor's Agreement with the School or Institution (hereinafter referred to as "School") is in effect.

Reimbursement shall be made to the Sponsor only in connection with meals that are served to eligible children that meet the nutritional requirements set forth in Section 3 of this Memorandum of Understanding. The School may be reimbursed, to the extent that funds are available, by the Sponsor for school lunches and/or school breakfasts or for special milk served by the School under the Programs indicated on Page 1 of this Agreement. Further, compliance by the School with federal regulation set forth in Chapter 7, Code of Federal Regulations, Parts 210, 220, 215 and 245, as applicable to the specific child nutrition program, is prerequisite to participation in the School Lunch Program, the School Breakfast Program and the Special Milk Program.

Reimbursement rates are established by the Department, to the extent funds are available, within the maximum payments prescribed by the United States Department of Agriculture. Such payments are determined by multiplying the appropriate rate by the total number of school lunches, school breakfasts or one-half pints of special milk served to the appropriate categories of eligible children (free, reduced price or fully paid).

In approving Applications from eligible schools or institutions, in assigning reimbursement rates and in approving payment of monthly Claims for Reimbursement, the Department requires compliance with the following conditions:

- A. The Sponsor has on file with the Department an approved and current Sponsor's Agreement for the School Lunch, School Breakfast and/or Special Milk Program;
- B. The Sponsor has on file with the Department an approved and current Policy Statement for the Provision of Free and Reduced Price School Meals and Free Milk;
- C. A Sponsor (or School) which operates its food service program on contract with a food service management company remains responsible for assuring that the Programs are in compliance with the Sponsor's Agreement;
- D. To the extent of funds available, and upon submission of an accurate Claim for Reimbursement the Department reimburses the Sponsor on behalf of the School for meals or milk served in accordance with the terms of this Memorandum of Understanding in any fiscal year during which this Memorandum and the Sponsor's Agreement are in effect. If meals or milk are served by the School during parts of two fiscal years, the Department's agreement to reimburse the Sponsor is conditional upon appropriation by Congress of funds in sufficient amounts for the specific meal or milk service during such second fiscal year.
- E. No legal liability on the part of the Department for the payment of any money shall arise until such appropriations have been provided by the United States Department of Agriculture.
- F. The Department will honor Claims for Reimbursement that are submitted by the Sponsor on forms provided by the Department within 60 days following the last day of the month covered by the Claim. Claims not filed within 60 days will not be paid except when the United States Department of Agriculture determines that late submission of the Claim was justifiable.
- G. The Sponsor conducts a non-profit food and/or milk service and maintains records of income and expenditures in such a manner as to reflect the non-profit status of the food/milk service.
- H. The Sponsor makes available for review or audit appropriate documentation concerning program eligibility, licensure with the required State Agencies and documentation of tuition, fees and meal/milk charges to the Child.

2. In administering the various school nutrition programs; in assigning meal reimbursement rates to schools/sites; and in compiling and approving payment of monthly Claims for Reimbursement, the **Sponsor** requires compliance with the following conditions:
- A. The School conducts a non-profit meal or milk service and maintains records of income and expenditures to reflect the non-profit status of the service.
 - B. All income accruing to the school food service program in any School participating in the Programs under the National School Lunch Act and the Child Nutrition Act is used by the Sponsor and by the School only for Program purposes, provided that such income shall not be used to purchase land or to acquire or to construct buildings.
 - C. The Sponsor and/or the School shall limit operating balances for the school nutrition programs to levels consistent with program needs. All excess funds shall be utilized to: reduce the price of meals or milk to the child; improve the quality of meals; and upgrade equipment, as approved by the Sponsor and/or Department.
 - D. No food, other than the school meal or milk is served in the dining area at the time of meal service. Meals or milk shall not be denied any child for disciplinary purposes. No student shall be discriminated against by service of meals or milk that are different from those offered to other children.
 - E. Except for food service personnel, payments for all adult breakfasts, lunches and milk are made. Adult and student meal and milk prices are approved annually by the Department.
 - F. The School and Sponsor operate the School Lunch, School Breakfast and Special Milk Program in compliance with all policies set forth in the West Virginia Department of Education Policies of Operation Manual.
 - G. The School complies in all respects with a condition set forth in the Sponsor's current Policy Statement for Provisions of Free and Reduced Price Meals and Free Milk. School lunches and/or school breakfasts or special milk are offered to all children attending a participating school and are served without cost or at reduced cost to all children with approved applications on file for free or reduced price benefits.
 - H. The Sponsor and School maintain for a period of three years after the end of the fiscal year to which these pertain, all records and reports related to program operation, including Applications and Agreements, Policy Statements for the Provision of free and Reduced Price Meals and Free Milk, Student Applications for Free/Reduced Price Meals or Free Milk, records of verification of eligibility, daily participation records, Claims for Reimbursement, Meal Production Records, Inventory Records, invoices, bills, receipts, purchase orders, bid requests, bid award documentation, bank statements and ledger sheets.
 - I. All records related to program operation are made available to the Sponsor, Department, United States Department of Agriculture and to State Auditors for review and/or audit at any reasonable place and time.
 - J. In the operation of all child nutrition programs, the School agrees to comply with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. Compliance is consistent with the objective that no person in the United States shall, on the ground of race, color, national origin, age, gender or disability be excluded from participation in, be denied the benefits of or be otherwise subject to discrimination. If you believe you have been discriminated against because of race, color, national origin, age, gender or disability, write to the Administrator, Food and Consumer Service, USDA, Park Center Drive, Alexandria, Virginia 22302.
3. In the operation of the school food service programs, the **School or Institution** agrees to follow the policies concerning food service as set forth in United States Department of Agriculture Meal Pattern Guidelines and include as part of each sponsor's annual Agreement.
4. Adequate facilities shall be maintained for storing, preparing and serving food and milk. Sanitation, health and safety standards shall conform with all state and local standards, including an adequate and safe supply of water and sanitary disposal of all water and refuse.
5. The School shall furnish adequate facilities and equipment so that the children may eat their meals in an accepted social manner. Adequate and empathetic supervision shall be provided in the dining area.

6. This Agreement may be terminated upon 10 days written notice on the part of either party hereto and the Department and/or Sponsor may terminate this agreement immediately upon receipt of evidence that the terms and conditions of this agreement or of the application regulations and policies have not been fully complied with by the School or Sponsor. The Department may make adjustments in rates of reimbursement in accordance with the availability of funds or in order to comply with the provisions of the National School Lunch Act or the Child Nutrition Act. Notice of such adjustments shall be given in writing to the sponsor as far in advance of the applicable date as is practicable.

Any deviation from this memorandum may mean just cause for the program to be terminated unless the situation may be remedied at once.

7. I CERTIFY THAT THE ABOVE MEMORANDUM HAS BEEN READ AND AGREED TO.

SIGNATURES

PRINCIPAL OR ADMINISTRATOR

DATE

COUNTY SUPERINTENDENT OR SPONSORING AGENCY OFFICIAL

DATE

STATE SUPERINTENDENT OF SCHOOLS

DATE

SECTION B
SCHOOL BREAKFAST

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BACKGROUND

School breakfasts provide a good start toward meeting a student's daily nutritional needs of food energy, protein, vitamins and minerals.

The value of this program is that it provides a breakfast to students who do not eat breakfast at home. A student who has eaten breakfast is more alert and less fatigued, and has a better chance of performing well in school. Many educators feel there are fewer discipline problems among students who start the day with a good breakfast.

The school breakfast is a meal which meets federal and state nutritional requirements and is served to students at or near the beginning of the school day. Schools may serve breakfast for an extended period of time or at different times during the morning hours. In secondary schools with continuous or multi-session service the serving/eating time can be reduced by serving prepackaged or portioned menu items.

In an effort to improve the nutritional quality of the school breakfast, Congress directed the United States Department of Agriculture to revise the nutritional requirements and extend the "offer versus serve" option to school breakfasts (P.L. 99-591). To facilitate the improvement, P.L. 100-435 mandated an additional three cents for each breakfast served under the program beginning July, 1989.

An amendment to the Code of West Virginia, effective July 10, 1981, requires each county board of education to establish and operate school breakfast programs in accordance with West Virginia Department of Education standards:

Article 18-5-37

"Beginning the school year of 1981-82 and continuing there-after, each county board of education shall establish and operate a school breakfast program under which a nutritious breakfast shall be made available to all pupils enrolled in the schools of the county in accord with standards of the state department of education."

SCHOOL BREAKFAST PROGRAM MEAL REQUIREMENTS AND RECOMMENDATIONS

The USDA Breakfast requirements are designed to provide a simple framework for planning nutritious breakfasts. They also provide for menu flexibility that can include student preferences or special food needs at the local level.

FOOD COMPONENTS/ITEMS	AGES 1 AND 2	AGES 3, 4, & 5	GRADES K-12
<u>MILK</u> (Fluid) (As a beverage, on cereal, or both)	1/2 cup	3/4 cup	1/2 pint
<u>JUICE/FRUIT/VEGETABLE*</u> Fruit and/or vegetable: or Full-Strength: Fruit Juice or Vegetable Juice	1/4 cup	1/2 cup	1/2 cup
Select <u>one</u> serving from each of the following components/items or <u>two</u> servings from one component/item			
<u>BREAD/BREAD ALTERNATES**</u> One of the following or an equivalent combination:			
• Bread (whole-grain or enriched)	1/2 slice	1/2 slice	1 slice
• Biscuit, roll, muffin or equal serving of cornbread, etc. (whole-grain or enriched meal or flour)	1/2 serving 1/4 cup	1/2 serving 1/3 cup	1 serving 3/4 cup
• Cereal (whole-grain or enriched or fortified)	or 1/3 ounce	or 1/2 ounce	or 1 ounce
<u>MEAT/MEAT ALTERNATES</u> One of the following or an equivalent combination:			
• Lean meat, poultry, or fish	1/2 ounce	1/2 ounce	1 ounce
• Cheese	1/2 ounce	1/2 ounce	1 ounce
• Large Egg	1/2	1/2	1/2
• Peanut Butter or other nut or seed butters	1 Tbsp	1 Tbsp	2 Tbsp
• Cooked dry beans and peas	2 Tbsp	2 Tbsp	4 Tbsp
• Nuts and/or Seeds (as listed in program guidance)***	1/2 ounce	1/2 ounce	1 ounce

* Recommended daily: A citrus juice or fruit or a fruit or vegetable that is a good source of vitamin C (See Menu Planning Guide for School Food Service, PA-1260).

** For serving sizes of bread alternates, see Food Buying Guide for Child Nutrition Programs, PA-1331 (1984, Revised May 1990).

*** No more than one ounce of nuts and/or seeds may be served in any one meal.

Schools are encouraged to offer larger portions of food items to meet the needs of older students.

SUGAR CONTENT OF BREAKFAST ITEMS

All such menu items shall contain less than 40 percent sugar (in crystalline form or in solution as syrup, both monosaccharides and disaccharides) and/or other sweetening agents. The following foods are not recommended since they may contain a high percentage of sugar: frosted or filled doughnuts, iced pastries and sweet rolls, frosted toaster products and most presweetened cereals. Schools are encouraged to prepare appropriate school-baked items.

It is the responsibility of the School Food Authority (SFA) or school to obtain sugar content statements which indicate percentage of total sweetening agents in questionable food and beverage items.

OFFER VERSUS SERVE

BREAKFAST

Beginning July 1, 1989, the "offer versus serve" provision was extended to the school breakfast program. This provision is intended to help reduce plate waste.

"Offer versus serve" for breakfast requires that four food components/items be offered (made available), but allows students to choose three or four items.

The school breakfast must contain, at a minimum, four food components/items. Milk and Fruit/Vegetable must comprise two components/items. The third and fourth food component/item requirements may be met by offering (a) two servings of bread or (b) two servings of meat or (c) one of each. The amount of each component/item served must be consistent with the minimum quantities specified in the Chart, School Breakfast Meal Pattern, on Page B - 2.

(a)

1 serving MILK	+	1 serving FRUIT/VEGETABLE	+	2 servings BREAD/BREAD ALTERNATE
-------------------	---	------------------------------	---	-------------------------------------

(b)

1 serving MILK	+	1 serving FRUIT/VEGETABLE	+	2 servings MEAT/MEAT ALTERNATE
-------------------	---	------------------------------	---	-----------------------------------

(c)

1 serving MILK	+	1 serving FRUIT/VEGETABLE	+	1 serving BREAD/BREAD ALTERNATE	+	1 serving MEAT/MEAT ALTERNATE
-------------------	---	------------------------------	---	---------------------------------------	---	-------------------------------------

West Virginia Board of Education Policy 4321.1, Standards for School Nutrition recommends lower fat milk choices and whole grain bread/bread alternate. A serving of low-fat, low-salt meat/meat alternate choice is also recommended daily.

To carry out "offer versus serve", students may refuse one food item from the required components/items. Students decide which item will be refused. A student's decision to decline a food item shall not affect the charge for breakfast.

The school food authority has the option of implementing "offer versus serve" for breakfast, either on a school by school or county basis. In schools not implementing "offer versus serve", a student must take full portions of all four food items offered for breakfast.

A LA CARTE

To encourage students to develop good eating habits and to provide for the nutritional needs of all students in attendance, sales of certain specific items of food may be made in the dining area at the same time as the breakfast service. With the approval of the School Food Authority (SFA), schools are authorized to sell, as separately priced menu items, the specific food and beverage items listed below:

- full strength (100%) fruit or vegetable juice;
- fresh fruit, such as apples or bananas;
- milk;
- bread items prepared from whole-grain or enriched flour, including toast, biscuits, muffins, English muffins, quick breads, bagels, rolls, or whole-grain enriched or fortified cereal; and/or
- meat/meat alternates such as lean meat, poultry, fish, cheese, egg, peanut butter or other nut or seed butters, cooked dry beans or peas nuts.*

*No more than one ounce of nuts and/or seeds may be served in any one meal.

The funds received from the sale of all a la carte breakfast foods and beverages shall accrue to the school's child nutrition account.

DIETARY EXCEPTIONS

United States Department of Agriculture regulations 7 CFR-220.8(f) require that schools shall make substitutions in foods for students with a disability. A child with a disability, as defined in 7 CFR Part 15b, is one who has "...a physical or mental impairment which substantially limits one or more major life activities..." Major life activities include the diet. Schools may make substitutions for students with special needs who are unable to consume the regular breakfast because of medical or other special dietary needs.

Substitutions shall be made on a case-by-case basis only when supported by a statement of the need for substitutions that include recommended alternate foods unless otherwise exempted by Food and Nutrition Service (FNS). Such statements shall, in the case of a student with a disability, be signed by a physician or, in the case of a student with special needs, by a recognized medical authority. The statement must be maintained on file in the school and available for audit. Exhibits of Proto-type letters that may serve for these medical statements can be found in Section J of the manual.

Regulations allow for certain other variations in the food components of the basic meal requirements on an experimental or continuing basis in schools where there is specific evidence that such variations are nutritionally sound and are necessary to meet ethnic, religious, economic or physical needs. However, these exceptions must be granted by the Food and Nutrition Service, USDA, Washington, D.C.

Any deviation from the required meal pattern other than those described above must be approved in writing by the West Virginia Department of Education (WVDE) or a WVDE Coordinator.

REIMBURSABLE BREAKFASTS

In order for a breakfast to be considered a reimbursable meal, 1) the four required food items must be offered to all students and 2) the serving sizes offered must be consistent with the minimum quantities identified on page B - 2. Additionally, students must select a minimum of three of four items, if offer versus serve is practiced or all four if offer versus serve is not practiced.

Reimbursement for only one breakfast per day may be claimed for a student who is:

- enrolled in the educational program of the School Food Authority (SFA);
- in attendance at the time of meal service; and
- claimed by eligibility category established by currently approved free or reduced meal application.

Second breakfasts consumed by students must be converted to non-reimbursable lunches using the formula, one breakfast equals three-fourths of a lunch. At the end of each month, multiply the total number of second breakfasts served by .75 and record this figure in column 11 on Form WVDE 43-10-30S [G - 30.1].

Returned unopened milk, juice, or other foods served to children may not be served as a part of another reimbursable meal.

SEVERE NEED RATES OF REIMBURSEMENT

A school will be eligible for severe need reimbursement rates for school breakfast only if the school served 40 percent or more of its lunches free or at a reduced price during the second preceding year.

Any eligible school must annually complete and submit an application for severe need breakfast classification [B - 30.1] to the Office of Child Nutrition of the West Virginia Department of Education (WVDE) for approval.

United States Department of Agriculture (USDA) regulations require that schools receiving the severe need rate for breakfast reimbursement must document School Food Authorities (SFA) costs that equal or exceed the total breakfast reimbursement or repayment of severe needs monies not utilized must be made.

PRODUCTION RECORDS

Completion of production records for breakfast is required in child nutrition programs in West Virginia. Booklets containing these record sheets [B - 30.2] will be furnished by the West Virginia Department of Education (WVDE) and, after completion, will be kept on file in the school child nutrition department for three years plus the current year.

A production record documents the menu and the quantities of foods served. Therefore, it is an excellent management tool. A production record should contain the following basic information:

- menu;
- serving size planned;
- quantity/number of food/food items prepared;
- number and size container (#10 can, pounds, count, etc.);
- quantity of food left over;
- disposal of leftovers;
- number students not yet served when food supply ran out;
- number of meals served by category (children and adults);
- date and day of the week; and
- name of person completing report.

When production records are used to full advantage in child nutrition programs, food production costs and food waste are kept to a minimum. Advantages of using production records in specific school programs are:

- in single choice situations, production records help forecast the amount of food to prepare; and
- when choices of menus or menu items are offered, production records help forecast the number of servings to prepare for each menu item thus reducing the possibility of running out of a choice.

BUS SCHEDULE

The school and transportation schedules must provide time for school breakfast prior to the start of the student's instructional day.

A minimum of ten minutes eating time (after going through the serving line) is to be provided for students eating school breakfast.

WAIVER

If, at the beginning of the school year, a particular school finds it impossible to operate a school breakfast program, the school shall notify the School Food Authority (SFA) of its intention to request a waiver from the state superintendent of schools.

Article 18-5-37

"A particular school, which because of compelling circumstances is not able to provide a satisfactory school breakfast program may apply to the state superintendent of schools for a waiver. Upon application, the state superintendent of schools shall give notice and the opportunity to be heard to the parents and the school and shall review the specific reasons for the waiver request and if the state superintendent determines that a particular school, because of compelling circumstances, is not able to provide a satisfactory school breakfast program, it may be granted a waiver, not to exceed two years except upon reapplication."

If, after review of the request, the county superintendent concurs that the school has compelling circumstances which prevent the operation of the school breakfast program, the request for the waiver shall be approved by the county superintendent.

Each request for a waiver due to compelling circumstances shall be submitted in writing by the county superintendent and the county board to the state superintendent of schools. The request shall set forth the circumstances leading to the waiver request and shall be accompanied by appropriate documentation, together with a proposed date and location for the required hearing.

Each request for a waiver shall be reviewed by the West Virginia Department of Education (WVDE). Public announcement of the dates and places for the hearings shall be made by the state superintendent of schools. The required hearing shall be conducted by local school officials. Roll call and minutes of the proceedings shall be taken and a summary of the minutes shall be transmitted to the WVDE.

The state superintendent of schools shall notify the county superintendent of schools in writing concerning the approval or denial of the waiver request. Notification shall be given within 15 working days after the receipt of the record of the public hearing. The notification shall state whether the duration of the waiver approval is for one or two years.

The state superintendent shall annually report to the West Virginia Legislature on the first day of the regular session the schools exempt for that school term under the waiver provision and shall state the reasons for such exemptions.

TERMINATION PROVISION

If at any time, all United States Department of Agriculture (USDA) appropriations to the West Virginia Department of Education (WVDE) for the school breakfast program are terminated, School Food Authorities (SFA) are authorized but not required to continue the operation of the school breakfast program.

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305

CRITERIA FOR DETERMINATION
OF
SEVERE NEED SCHOOLS OR INSTITUTIONS
SCHOOL BREAKFAST PROGRAM

Name and Address of Sponsor: _____

Name and Address of School or Institution: _____

New Breakfast Program _____

Existing Breakfast Program _____

Breakfast Program will begin _____ and end _____

1. Percent of Needy Lunches Served

A school may qualify if 40% or more of the school lunches served to students in the second preceeding year were served free or at reduced price.

a. Data From School Year _____

b. Number Lunches Served
Free & Reduced Price _____

c. Total No. Lunches Served _____

d. Percent Needy Lunches _____%

AND

2. Unusual Costs Per Meal

Schools must document costs which exceed the normal breakfast program reimbursement despite good management.
(Identify cause)

a. Estimated higher costs
based on previous year _____¢/meal

b. Need for additional
labor or supervision _____/day

c. Unique or additional
delivery costs _____/day

d. Need for new equipment
or special supplies \$ _____

e. Need for special menus
or foods (Specify) _____

Signature _____

Date _____

Title _____

Approved _____

Date _____

COUNTY _____ - _____ SCHOOL _____
DATE _____ NUMBER BREAKFASTS SERVED _____
(Include Adults)

[illegible]

(Add column 5)

Program Distribution of Labor Cost

Employee's Name	Breakfast		Lunch		Total	
	Hours	Salary	Hours	Salary	Hours	Salary
TOTALS						

(Include Adults)

(1) Major Items Used	(2) Unit (lbs., #10 etc.)	(3) Units Used	(4) Price Per Unit	(5) Total Cost of Items (Col. 3 X Col. 4)
FOOD				
SUPPLIES				
MILK				

Meal Production Records

Lunch only:
Do you practice offer vs. serve? Yes ___ No ___

Left-overs: S-seconds W-waste F-freezer R-refrigerator

Day _____ Date _____	Menus	Serv. Size	Leftovers Amt. Disp.	Meat/Meat Alternate	Amt. Used	Size Cont.
Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Day _____ Date _____

Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Day _____ Date _____

Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Day _____ Date _____

Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Day _____ Date _____

Breakfast - Lunch						
_____ Planned						
Age/Grp. Served						
Group 3 _____						
Group 4 _____						
Group 5 _____						
Adults _____						
Total _____						

Completed by _____
 Indicate amount of food used and container size.

Vegetable/Fruit	Amt. Used	Size Cont.	Bread/ Bread Alt.	Amt. Used	Size Cont.	Other Foods	Amt. Used	Size Cont.	Remarks
									Milk
									With meals _____
									Sold extra _____

									Milk
									With meals _____
									Sold extra _____

									Milk
									With meals _____
									Sold extra _____

									Milk
									With meals _____
									Sold extra _____

									Milk
									With meals _____
									Sold extra _____

PRODUCTION WORKSHEET

Left-overs: S-seconds W-waste F-freezer R-refrigerator Lunch only: Do you practice offer vs serve? Yes No

Day _____ Date _____

Indicate number and size containers of food used.

Completed by _____

Breakfast	Menu	Serv. Size	Left-over Amt.	Disp.	Meat/MA	Amt. Used	Size Cont.	Fruits/Vegetables	Amt. Used	Size Cont.	Bread	Amt. Used	Remarks
Planned													Milk: Served Sold Extra
Age/Grp. Served													
Children													Milk: Served Sold Extra
Adults													
Total													
Lunch													Milk: Served Sold Extra
Planned													
Age/Grp. Served													
													Milk: Served Sold Extra
Adults													
Total													
Alternate Lunch Supper - Snack													Milk: Served Sold extra
Planned													
Age/Grp. Served													
													Milk: Served Sold extra
Adults													
Total													

Day _____ Date _____

like offer vs serve? Yes No

Completed by

[illegible]

West Virginia Department of Education
Nutrition Standards for School Nutrition Programs

SECTION 4.3 BREAKFAST IMPLEMENTATION OPTION

COMPONENT	TIER I by 1993	TIER II by 1994***	TIER III by 1995
	Grades K-12	Grades K-12	Grades K-12
MILK • Offer lower fat choices	8 fl. oz.	8 fl. oz. • offer only milk with 2% or less butterfat	8 fl. oz. • offer only milk with 2% or less butterfat
FRUIT/VEGETABLE** • offer daily a fruit, juice or vegetable that is a good source of vitamin C	1/2 cup	1/2 cup	1/2 cup
MAY CHOOSE ONE SERVING FROM EACH OF THE FOLLOWING COMPONENTS OR TWO SERVINGS FROM ONE			
BREAD/BREAD ALTERNATE** • offer whole grain varieties often	1 or 2 servings	1 or 2 servings	1 or 2 servings
MEAT/MEAT ALTERNATE • encourage low-fat and low-salt choices	1 serving recommended	1 serving recommended	1 serving recommended

* Requires prior approval from USDA

** Snack Option may be chosen (see 7.1)

*** Require additional foods for pregnant and lactating students as specified in "Lunch Implementation Option A"

SECTION C
SCHOOL LUNCH

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BACKGROUND

The nutritional goal for school lunches is to provide approximately one-third of the Recommended Dietary Allowances (RDA) as specified by the National Research Council/National Academy of Sciences. It is not expected that each lunch each day will provide one-third of the RDA for all nutrients. However, when averaged over a period of time and when a wide variety of foods are served, the goal will be met.

In developing the United States Department of Agriculture (USDA) meal requirements, amounts of food energy (calories) and nutrients for adequate food composition data were considered. Additionally, since the meal requirements allow for a variety of foods, it is assumed that other nutrients for which no RDA have been established or for which inadequate food composition data are available will also be supplied.

MEAL REQUIREMENTS AND RECOMMENDATIONS

The United States Department of Agriculture (USDA) lunch requirements are designed to provide a simple and easy-to-follow framework for planning nutritious and well-balanced lunches. They provide for broad food choices that can include local food preferences, cultural, ethnic and religious food practices.

The USDA meal requirements are specific to the kinds and amounts of food for each of the four food components. However, a minimum of five food items must be served, as shown below:

Components:	Food Items:
1. Meat/Meat Alternate	1. Meat/Meat Alternate
2. Vegetable/Fruit	2. Vegetable/Fruit
3. Bread/Bread Alternate	3. Vegetable/Fruit
4. Milk	4. Bread/Bread Alternate
	5. Milk

Other foods may be added as needed to complete the lunch and will provide additional food energy (calories) and other nutrients. These foods are served in addition to foods which meet the component requirements of a reimbursable lunch. They do not contribute to the USDA meal pattern requirements.

Additional menu items should always contain less than 40 percent sugar (in crystalline form or in solution as syrup, both monosaccharides and disaccharides) and/or other sweetening agents. (Page J - 13-14.)

Schools are encouraged to serve school-baked items from recipes using limited amounts of sugar. It is the responsibility of the School Food Authority (SFA) or school to obtain sugar content statements which indicate percentage of total sweetening agents in questionable food and beverage items.

In addition to the USDA requirements and recommendations, the West Virginia State Board of Education has adopted school meal standards that implement the concepts of the Dietary Guidelines for Americans. Policy 4321.1 Standards for School Nutrition specifies nutrient and food standards [J - 30.1]. School Food Authorities must select and plan menus according to either Option A (nutrient analysis) or Option B (modified meal pattern).

The policy also addresses the nutrient needs of the pregnant and lactating student by requiring additional foods be provided to said students so that breakfast and lunch together or in combination with a snack, provide:

- a total of 5 oz. of protein foods, 1 oz. of which shall be 1 oz. cheese, 1 cup yogurt or 8 oz. fluid milk;
- 3 servings from the grain group, preferably from whole grains;
- 1-1/4 cups from the fruit and vegetable group; and
- 16 oz. from milk group.

In these additional foods, the following option shall be allowed:

- 1 cup of fruit in place of one serving of the grain group once a week.

FOOD QUANTITIES

A school lunch must contain quantities of each of the food components, as specified by the National School Lunch Program regulations. The following chart specifies United States Department of Agriculture (USDA) quantities by age/grade group, modified to reflect West Virginia standards.

WEST VIRGINIA MODIFIED MEAL PATTERN		MINIMUM QUANTITIES				RECOM- MENDED QUANTITIES
		PRESCHOOL Ages 1-2 (Group I)	PRESCHOOL Ages 3-4 (Group II)	GRADES K-3 Ages 5-8 (Group III)	GRADES 4-12 Age 9 & over (Group IV)	GRADES 7-12 age 12 & over (Group V)
MEAT OR MEAT ALTERNATE	A serving of one of the following or a combination to give an equivalent quantity:					
emphasize lean and lower sodium choices	Lean meat, poultry, or fish (edible portion as served)	1 oz	1 1/2 oz	1 1/2 oz	2 oz	3 oz
	Cheese	1 oz	1 1/2 oz	1 1/2 oz	2 oz	3 oz
*serve dried beans, dried peas/lentils once a week	Large egg(s)	1/2	3/4	3/4	1	1 1/2
	Peanut butter	2 Tbsp	3 Tbsp	3 Tbsp	4 Tbsp	6 Tbsp
	Nuts or seeds	1/2 oz = 50%	3/4 oz = 50%	3/4 oz = 50%	1 oz = 50%	1 1/2 oz = 50%
	Cooked dry beans or peas	1/4 cup	3/8 cup	3/8 cup	1/2 cup	3/4 cup
	*a minimum of 1/2 cup serving/week must be cooked dried beans/dried peas or lentils					
VEGETABLE AND/OR FRUIT	Must serve at least two different foods	1/2 cup	1/2 cup	1 cup	1 1/4 cups	1 1/4 cups
*offer fresh produce whenever possible				*at least 1/4 cup fresh 5 times per week	at least 1/4 cup fresh 5 times per week	at least 1/4 cup fresh 5 times per week
BREAD OR BREAD ALTERNATE	Servings of bread or bread alternate.	5 per week	8 per week	10 per week 1.5 a day	12 per week 1.5 a day	12 per week 1.5 a day
*emphasize whole grain products	A serving is • 1 slice of whole-grain or enriched bread • A whole-grain or enriched biscuit, roll, muffin, etc. • 1/2 cup of cooked whole- grain or enriched rice, macaroni, noodles, whole- grains such as bulgur or corn grits • A combination of any of the above			*a minimum of 5 servings a week must contain at least 33% whole grain	a minimum of 5 servings a week must contain at least 33% whole grain	a minimum of 5 servings a week must contain at least 33% whole grain
MILK offer low fat choices	A serving of fluid milk	3/4 cup (6 fl oz)	3/4 cup (6 fl oz)	1/2 pint (8 fl oz)	1/2 pint (8 fl oz)	1/2 pint (8 fl oz)
WATER	Encourage adequate water consumption	Offer water	Offer water	Offer water	Offer water	Offer water

Note that Groups I through IV are minimum requirements, but the quantities specified in Group V are recommendations. Schools are encouraged, not required, to vary portion sizes to better meet the food and nutritional needs of students by age. If a school chooses not to vary portion sizes, it is important to ensure that the oldest group of students being served is receiving the minimum requirements for that age group. In other words, for a given age group of students, more than the minimum quantity may be served, but not less.

The quantities specified in Group V for students age 12 and over are recommendations, not requirements, and the minimum requirements for that group are the quantities specified in Group IV for students age 9 and over.

MEAT/MEAT ALTERNATE COMPONENT

West Virginia Modified Meal Pattern (Option B)

Minimum Quantities for students, grades K-12:

One of the following or a combination to give an equivalent quantity:	Grades K-3 ages 5-8 (Group III)	Grades 4-12 age 9 and over (Group IV)	Grades 7-12 age 12 and over (Group V)
Lean meat, poultry, or fish	1 1/2 oz.	2 oz.	3 oz.
Cheese	1 1/2 oz.	2 oz.	3 oz.
Large eggs	3/4	1	1 1/2
Peanut butter or soynut butter or other nut or seed butters	3 Tbsp.	4 Tbsp.	6 Tbsp.
Peanuts or soynuts or tree nuts or seeds	3/4 oz. = 50%	1 oz. = 50%	1 1/2 oz. = 50%
Cooked dry beans or peas*	3/8 cup	1/2 cup	3/4 cup

*West Virginia modified meal pattern (Option B) emphasizes lowfat, low sodium, high fiber foods by requiring that dried beans, dried peas or lentils be served as a meat/meat alternate at least once a week.

The meat/meat alternate must be served in the main dish or the main dish and one other menu item. This means that two menu items are the maximum number which may be used to meet the meat/meat alternate requirement.

Textured vegetable protein products, cheese alternate products, and enriched macaroni with fortified protein may be used to meet part of the meat/meat alternate requirement. Fact sheets on each of these alternate foods give detailed instructions for use.

No more than 50% of the meat/meat alternate requirement shall be met with nuts or seeds. Nuts or seeds shall be combined with another meat/meat alternate to fulfill the requirement.

If the required serving for a meat alternate seems too large for a particular age group being served, a smaller portion should be served to meet part of the requirement while combined with another meat or meat alternate to meet the full requirement.

It is recommended that schools offer students a choice of meat/meat alternate each day or that a particular meat alternate or form of meat (ground, diced, pieces, etc.) not be served more than three times in a single week.

Further information on the meat/meat alternate component is found in the United States Department of Agriculture (USDA) Menu Planning Guide, pages 12-14.

VEGETABLE/FRUIT COMPONENT

West Virginia Modified Meal Pattern (Option B)

Minimum quantities for students, grades K-12:

	Grades K-3 ages 5-8 (Group III)	Grades 4-12 age 9 and over (Group IV)
Two or more servings of vegetables or fruits or both to total	1 cup	1 1/4 cups

West Virginia modified meal pattern (Option B) and nutrient standard (Option A) requires that fresh fruits and vegetables be offered in quantities of at least 1/4 cup 5 times per week.

The required servings must consist of two or more fruits or vegetables. Menu items such as fruit cocktail and mixed vegetables are counted as one item. Chef's salad or a fruit plate with cottage cheese are considered as two or more servings and will meet the full requirement if being served as the entrée.

In order for juice to meet the fruit/vegetable requirement, at least 100% full strength juice must be used to equal only one-half the requirement or 3/8 cup. If 50% juice is used, the amount must be doubled (one cup) to equal the 3/8 cup.

Cooked dry beans or peas may be used to meet the meat/meat alternate requirement or the vegetable/fruit requirement, but not both in the same meal.

Include a vegetable or fruit rich in vitamin A at least twice a week and a vegetable or fruit rich in vitamin C at least two or three times a week. Refer to the United States Department of Agriculture (USDA) [Menu Planning Guide](#) for suggestions.

BREAD/BREAD ALTERNATE COMPONENT

West Virginia Modified Meal Pattern (Option B)

	Grades K-3 ages 5-8 (Group III)	Grades 4-12 age 9 and over (Group IV)	Grades 7-12 age 12 and over (Group V)
Servings of bread or bread alternate	1.5/day or 10/week	1.5/day or 12/week	1.5/day or 12/week

Offerings should include at least 5 servings a week that contain 33% whole grains.

A serving is:

- one slice of whole-grain or enriched bread;
- a biscuit, roll, muffin, etc., whole-grain or enriched;
- 1/2 cup of cooked whole-grain or enriched rice;
- 1/2 cup of macaroni, noodles, other whole-grain or enriched pasta products, or other cereal grains such as bulgur or corn grits; or
- a combination of any of the above.

Only bread/bread alternates that are served as an accompaniment to the main dish may be used to meet the bread requirement. Dessert and snack-type foods, such as cakes, cookies, dessert pie crust, hard thin pretzels and corn chips may not be counted to meet the bread requirement because they do not accompany any known main dish.

Enriched macaroni products with fortified protein may be used to meet a part of the meat/meat alternate requirement or to meet the bread/bread alternate requirement, but not both in the same meal.

Whole grain refers to products that contain the entire grain, or all the grain that is edible. They include the bran and germ portions which contain most of the fiber, vitamins and minerals, as well as the starchy endosperm. Examples of whole grains may include whole wheat, cracked wheat, bulgur, oatmeal, and whole cornmeal.

Refer to the United States Department of Agriculture (USDA) Food Buying Guide for Child Nutrition Programs (1990), Bread and Bread Alternates Section, for weights of servings and a detailed list of breads and bread alternates.

MILK COMPONENT

West Virginia Modified Meal Pattern (Option B)

Minimum quantities for students, grades K-12:

	Grades K-3 ages 5-8 (Group III)	Grades 4-12 age 9 and over (Group IV)	Grades 7-12 age 12 and over (Group V)
Fluid Milk	1/2 pint (8 fl. oz.)	1/2 pint (8 fl. oz.)	1/2 pint (8 fl. oz.)

Both whole milk and unflavored lowfat milk are required*. The whole milk may be flavored or unflavored. The unflavored fluid lowfat milk may be 2% or less butterfat, skim milk or buttermilk. Skim milk cannot be the only source of lowfat milk available.

This requirement does not prohibit offering other milks, such as whole flavored milk or flavored lowfat milk, along with two or more of the above.

*In the event that a particular type of milk represents less than one percent of the total amount of milk consumed in the previous year, schools may elect not to make this type of milk available. Documentation such as purchase orders and inventory records are required to substantiate such action and should be kept on file at the school or School Food Authority (SFA).

Milk must be offered as a beverage for lunch.

Milkshakes containing 1/2 pint of fluid milk meeting state or local standards for fluid milk may be served as a choice to meet the milk requirement.

Further information on the milk component is found in the United States Department of Agriculture (USDA) Menu Planning Guide, page 18.

PRODUCT ANALYSIS SHEETS AND CHILD NUTRITION LABELS

When commercially prepared food items, especially breaded, frozen, protein items, are purchased for use in the school lunch program, a product analysis sheet or Child Nutrition (CN) label must be on file in the school kitchen. For example, in the case of pizza, the product analysis sheet should specify the exact amount of meat and cheese per portion. A CN label on commercially prepared individual portions clearly identifies the contribution of a product toward the meal pattern requirement. [C - 30.1] If this information is not available, the prepared item may not be counted to meet the component requirements since the item's contribution to the meal pattern is unknown.

A CN label will always contain the following:

- The CN logo which is a distinct border.
- The meal pattern contribution statement.
- A 6-digit product identification number.
- United States Department of Agriculture/Food and Nutrition Service (USDA/FNS) authorization.
- The month and year of approval.

SAMPLE LABEL STATEMENT

-----CN-----		
CN	This 5.00 oz. -- Pizza with Ground Beef and Vegetable Protein Product provides 2.00 oz. equivalent meat/meat alternate, 1/2 cup serving of vegetable, and 1 1/2 servings of bread alternate for the Child Nutrition Meal Pattern Requirement (Use of this logo and statement authorized by the Food and Nutrition Service, USDA 05-84.)	CN
-----CN-----		

OFFER VERSUS SERVE

"Offer vs serve" is defined as a serving method designed to reduce food waste and food costs in the National School Lunch Program without jeopardizing the nutritional integrity of the lunches served. It allows senior high school students and, when approved by the local School Food Authority (SFA), students in other grades to decline food they do not intend to eat. To be considered a reimbursable lunch under the "offer vs serve" provision, the lunch selected must contain at least three of the five required food items specified in the quantity requirements.

Senior high schools are required to implement the offer versus serve provision for their students. Senior high school students are students (1) of a high school grade level as determined by state and local educational agencies and (2) enrolled in a senior high school which is recognized as a part of the education system within a state.

The implementation of the offer versus serve provision in junior high, middle and/or elementary schools is left to the discretion of local SFAs. In schools not implementing offer vs serve a student must take the entire five food items lunch in the full portion offered.

KINDERGARTEN SNACKS

Children of kindergarten age can only manage small quantities of food at one time. The recommendation is to offer lunch at two serving periods which meets the total minimum quantities. For example, at midmorning, juice and toast could be served. At lunch the meat, vegetable, milk and/or dessert would then be served or offered.

This method will provide a snack for children in this age group. If kindergarten children are served in two service periods, the total food served must still meet minimum requirements.

West Virginia Policy 4321.1 Standards for School Nutrition allows the following as snack options for meals. Schools may choose to allow adequate time for consumption of increased volume of food by extending the meal period or by providing a snack under the following stipulations:*

- The snack is offered as a separate item at breakfast or lunch for consumption later.
 - The snack item may be a single serving of bread/bread alternate, fruit or vegetable.
 - If the snack option is chosen, school administrators and teachers should support this effort by providing students with the time and opportunity to eat these snacks during the day.
 - Timing of the snack should be determined by individual schools choosing this option.
 - The price of the meals may not be increased solely as a result of choosing this option. (Note: No federal reimbursements exist for snacks outside the lunch or breakfast meals.)
 - Schools choosing this snack option may elect to sell the same snack foods to students who do not purchase a school meal.
- * Prior United States Department of Agriculture (USDA) approval is required to provide the fruit/vegetable snack option for lunch.

A LA CARTE

A la carte meal service for students and/or adults at lunch is prohibited. Meals must be priced and served as units. The West Virginia Department of Education (WVDE) regulation states that food items (sandwiches, breads or any other menu items) may not be priced and sold separately. Only fluid milk and milk shakes may be sold as a la carte for lunch.

Alternatives to a la carte are:

- "Super Lunches", those providing larger portions and/or extra food items, may be offered to paying students at an additional cost. If such meals are offered, students who are eligible for free meals must be offered the same service as the paying student at no cost and the students eligible for reduced price meals must be offered the same service at no additional cost.
- Second meals can be sold and counted as non-reimbursable meals.
- Seconds can be provided.

DIETARY EXCEPTIONS

Regulations allow for certain variations in the food components of the basic meal requirements on an experimental or continuing basis in schools where there is specific evidence that such variations are nutritionally sound and are necessary to meet ethnic, religious, economic or physical needs. However, these exceptions must be granted by the Food and Nutrition Service, United States Department of Agriculture (USDA), Washington, D.C.

Any deviation from the required meal pattern other than those described above must be approved in writing by the West Virginia Department of Education (WVDE) or WVDE Coordinator.

United States Department of Agriculture (USDA) regulations (7 CFR-220.8(f) require that schools shall make substitutions in foods for students with a disability. A child with a disability, as defined in 7 CFR Part 15b, is one who has "...a physical or mental impairment which substantially limits one or more major life activities..." Major life activities include the diet. Schools may make substitutions for students with special needs who are unable to consume the regular lunch because of medical or other special dietary needs.

Substitutions shall be made on a case-by-case basis only when supported by a statement of the need for substitutions that includes recommended alternate foods unless otherwise excepted by Food and Nutrition Service (FNS). Such statements shall, in the case of a student with a disability, be signed by a physician or, in the case of a special needs student, by a recognized medical authority. The statement must be maintained on file in the school and available for audit. The statement needs to be updated each school year. Exhibits of Proto-type letters that may serve for these medical statements can be found in Section J of the manual.

REIMBURSABLE LUNCHES

Lunches that meet United States Department of Agriculture (USDA) requirements are eligible for reimbursement. Only one lunch per day may be claimed for a student who is:

- enrolled in the educational program of the School Food Authority (SFA);
- in attendance at the time of meal service; and
- claimed by category established by currently approved free or reduced price meal applications.

Second lunches consumed by students should be listed as non-reimbursable lunches and recorded in column 11 on Form WVDE 43-10-30S [G - 30.1].

HIGHER REIMBURSEMENT RATES

School Food Authorities (SFA) which served 60 percent or more free or reduced price meals during the second preceding year are entitled to a higher rate of reimbursement. These SFAs are named on the back of the page listing the current reimbursement rates [G - 30.6].

PRODUCTION RECORDS

Production records for lunch are required in every child nutrition program in West Virginia. Booklets containing these production sheets as well as salad bar production sheets will be furnished by the West Virginia Department of Education (WVDE). After completion, they should be kept on file in the school's child nutrition department for three years plus the current year.

A production record documents the menu and the quantities of foods served. Therefore, it is an excellent management tool. Basic information for a production record should contain:

- menu (recipe number if one is used, brand name of prepared entree);
- serving size planned;
- quantity/number of food/food items prepared;
- number and size container (#10 can, pounds, count, etc.);
- quantity of food left over;
- disposal of leftovers;
- number students not yet served when food supply ran out;
- offer vs serve;
- date and day of the week;
- number of meals served by category (children and adults);
- milk served with meals; and
- name of person completing report.

When production records are successfully used, production costs and food waste are kept to a minimum. Advantages of production records in specific school programs are:

- in single choice situations, production records help forecast the amount of food to prepare;
- when choices of menus or menu items are offered, production records help forecast the number of servings to prepare for each menu item thus reducing the possibility of running out of a choice before all students are served;
- salad bar production sheets are useful when a large variety of vegetables are being prepared daily.

SECTION D
DONATED FOODS

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BACKGROUND

Donated foods are agricultural commodities which the United States Department of Agriculture (USDA) makes available to various food program outlets including public and private schools and summer camps.

The amount spent for donated foods is determined by the United States Congress and is based on a certain money value per lunch served. Each state is notified of its dollar entitlement based on the rate per meal.

In West Virginia, the West Virginia Department of Health and Human Resources is the distribution agency for USDA donated foods. Each School Food Authority (SFA) must sign an agreement [D - 30.1] with the Distributing Agency (DA) in order to receive donated foods. The agreement assures the West Virginia Department of Health and Human Resources that donated foods will be distributed properly to schools and upon receipt by the schools, the food will be properly stored, inventoried and utilized by child nutrition programs.

There are two types of USDA foods which are available:

1. those which are purchased by USDA for use in specific programs such as the child nutrition program; and
2. those which are made available to schools and institutions as a result of price support of agricultural commodities.

The three groups of foods within the two types of USDA foods are:

1. Group A - fruits, meats and vegetables;
 2. Group B - grains and oil products; and
 3. Bonus items - Group A items offered that are not charged against entitlements.
- There will be no Group B bonus items for school year 1995-96.

The SFA is billed for transportation and storage costs. This cost may be passed on to the local school.

ALLOCATION OF DONATED FOODS

Criteria that may be used in determining the quantity of United States Department of Agriculture (USDA) donated foods to be allocated to each school are as follows:

- the number of lunches served;
- past rate of utilization of the food;
- amount on hand from previous allocations;
- relative economic need; and/or
- availability of proper storage facilities.

PROCEDURE FOR REQUESTING DONATED FOODS

The School Food Authority (SFA) food service supervisor distributes to individual schools the West Virginia Department of Health and Human Resources commodity usage forecast sheet which includes instructions for completion and a date to be returned to the SFA.

The commodity usage forecast sheet replaces the request form ES-DF-05 and is completed once annually during late winter or early spring.

Any United States Department of Agriculture (USDA) donated food item (group "A" or group "B") may be used for training (home economics classes, vocational food classes, school food service training and Nutrition Education and Training (NET).

INVENTORY

The West Virginia Department of Health and Human Resources requires that a perpetual inventory be kept at each school for all United States Department of Agriculture (USDA) donated foods. Donated foods inventories shall not be removed from the premises. These records must be current and available for review by an inspector from the Department of Health and Human Resources. Reviews by the Department of Health and Human Resources are made annually with follow-up reviews on negative findings. [D - 30.3]

LOSS OR DAMAGE TO DONATED FOODS

Loss or damage to United States Department of Agriculture (USDA) donated foods, from any cause whatever, shall be reported immediately to the Department of Health and Human Resources [D - 30.4 and D - 30.4a]. Full restitution shall be made to the Department of Health and Human Resources for any loss or damage to donated foods resulting from failure to provide facilities for proper care or from any acts of negligence on the part of the School Food Authority (SFA) or local school.

Donated foods which are found to be damaged or out of condition and are determined unfit for human consumption by federal, state or local health officers shall be disposed of only in accordance with instructions received from the Department of Health and Human Resources.

Special care must be taken during the summer months and school vacations to ensure that storage practices do not allow loss or damage of foods [D - 30.5].

COMMODITY PROCESSING

Federal regulations permit State Distributing Agencies (SDAs) and/or School Food Authorities (SFAs) to enter into agreement with commercial companies to process any of the donated foods available. The SDA usually enters into a single state agreement under which all SFAs may participate. This eliminates the need for multiple SFA's to have identical agreements with the same processor for the same products. The processor bills the SDA. The SDA then bills the SFA.

The State Optional Contract (SOC) program makes specified products available to states for distribution to recipient agencies. The SOC program is a federally assisted program whereby the USDA enters into formal written federal-state agreements with state distributing agencies to have commodities like butter or flour converted into finished end products such as butter patties or flour mix. The USDA bills the SFA for the processing cost. The SDA then bills the recipient agencies.

Currently USDA SOC contracts involved (a) butter patties; (b) charbroiled beef patties; (c) chicken nuggets; (d) chicken patties; and (e) cooked pork patties.

West Virginia Donated Foods Program

AGREEMENT between the West Virginia Department of Human Services (herein referred to as State Distributing Agency) and its recipient agency for foods donated by the United States Department of Agriculture.

The

NAME OF AGENCY

ADDRESS

County _____, a Recipient Agency hereby makes application for donated foods and agrees to the following terms and conditions.

The Recipient Agency Is:

- _____ Operating a nonprofit agency serving _____ counties of West Virginia. Distribution to needy persons for household consumption may be made only through agencies participating in the program established under the Temporary Emergency Act of 1988.
- _____ Operating a nonprofit federal income tax exempt soup kitchen providing meals on a regular basis to homeless persons. A total of _____ meals were served during the most current twelve (12) month reporting period from _____ thru _____.
Mo. Yr. Mo. Yr.
- _____ Operating a nonprofit school lunch program under the National School Lunch Program. Average daily breakfast served _____; average daily lunches served _____. Total enrollment _____.
- _____ Operating a nonprofit Residential Child Care Center certified by the State Department of Education. Average daily breakfast served _____; lunches served _____; supper served _____. Total enrollment _____.
- _____ Operating a Summer Feeding Program for children certified by the State Department of Education. Average daily breakfasts _____; lunches served _____; suppers served _____. Total enrollment _____.
- _____ Operating a feeding program for the Nutrition Program for the Elderly and certified by the State Commission on Aging. Average meals served daily _____. Total enrollment _____.
- _____ Operating a nonprofit summer camp where feeding services are conducted for _____ children of high school grade or under.
- _____ Operating a nonpenal, noneducational (Federal, State or Local) institution serving an average of _____ indigent persons.
- _____ Operating a nonprofit, federal tax exempt private hospital or a nonprofit, non-educational, federal tax exempt private institution organized for charitable purposes and serving _____ persons who are unable to pay full cost or persons who would, if not an inmate, be eligible to receive USDA donated foods.

Eligibility Requirements

1. Schools operating programs under the National School Lunch Program are eligible to receive Section 6, Section 32, and Section 416 donated foods. Other schools operating nonprofit programs are eligible to receive Section 32 and Section 416 donated foods provided, however, that the food service in either type school is not operated under a fee, concession or contract arrangement.
2. Institutions are eligible to receive available Section 32 and Section 416 donated foods to the extent of the needy persons served by them. To determine the number of needy persons being served the distributing agency shall determine the proportion of subsidized income by dividing the subsidized income by the total subsidized and nonsubsidized income and multiplying that number by the average daily number of participants.
3. Summer camps operating on a nonprofit basis and conducting a nonprofit feeding service for children of high school grade or under are eligible to receive available Section 32 and Section 416 donated foods.
4. Institutions and Summer Camps may employ food service companies to conduct their feeding operations provided that such services are only on fee-for-service-basis and the contract is approved by the State Distributing Agency.

5. "Recipient Agency assures the United States Department of Agriculture and the State Distributing Agency that it now complies with and shall in the future comply with all requirements imposed by or pursuant to the Civil Rights Act of 1964 and the USDA Regulations (7 CFR Part 15), including any subsequent amendments, issued to effectuate that Act. Compliance will be consistent with the objective that no person in the United States shall, on the ground of race, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity of Recipient Agency to be apart of such programs and activities. Recipient Agency agrees to be obligated by this assurance as long as it receives assistance hereunder or retracts possession of any assistance provided by the USDA or the State Distributing Agency. Should Recipient Agency fail to comply with this assurance, the United States or the State Distributing Agency shall have the right to seek its enforcement by judicial or any other means authorized by law. Federal financial assistance is extended under this agreement in reliance on the representations made herein."

Receipt and Use of Donated Foods

6. Donated Foods shall be requested only in such quantities as can be consumed without waste.
7. Donated foods received shall be used only in the manner prescribed by the United States Department of Agriculture. Donated foods not so used shall not be sold, exchanged or other wise disposed of without the approval of the State Distributing Agency.
8. Donated foods received shall not be used as means of furthering the political interest of any individual or party.
9. Recipient Agencies may be required to pay part or all of the within-state costs of distributing through a system of charges assessed by the Distributing Agency. The charges assessed shall be reasonable in relation to the services provided and any funds collected shall be used by the Distributing Agency only for program purposes.
10. Donated foods shall not be distributed to any State Recipient Agency or recipient whose normal food expenditures are reduced because of the receipt of donated foods, except that the provision shall not apply to the distribution of Section 6 donated foods.
11. Recipient Agencies may employ commercial or institutional facilities to process donated foods by converting them into different end products or by repackaging them. When this is done, Recipient Agencies shall enter into a written agreement with the processing facility under such terms and conditions as required by the United States Department of Agriculture and subject to approval of the State Distributing Agency.

Loss or Damage to Donated Foods

12. Loss or damage to donated foods from any cause whatever shall be immediately reported to the Distributing Agency.
13. Facilities will be provided for the proper care, handling, storing and distribution of the donated foods requested and accepted. Full restitution shall be made to the Distributing Agency for any loss or damage to donated foods resulting from failure to provide such facilities or from any acts of negligence on the part of the Recipient Agency.
14. Upon the happening of any event creating a claim in favor of the Recipient Agency from loss or damage to donated foods caused by a warehouseman, carrier or other person, the Recipient Agency shall take all necessary action to obtain restitution. All amounts collected by such action shall be reported to the State Distributing Agency and used only in accordance with instructions.
15. Donated foods which are found to be damaged or out of condition and are determined to be unfit for human consumption by Federal or State officials or local health officers shall be disposed of only in accordance with instructions received from the State Distributing Agency.

Other Provisions

16. The State Distributing Agency or State Contracted Commercial Warehouse shall to the extent possible notify the Recipient Agency at least 24 hours prior to delivery. Adequate personnel shall be provided by the Recipient Agency to effect distribution of donated foods in accordance with instructions of the State Distributing Agency. Storage facilities (dry, cooler and freezer) shall be monitored daily and temperature record maintained. It is mandatory all storage facilities be monitored no less than every 72 hours by recipient agencies recessing for the summer or during holidays.

17. Proceeds from sale of containers received with donated foods shall be used only in accordance with instructions of the State Distributing Agency.
18. Representatives of the State Distributing Agency and the United States Department of Agriculture may at all times inspect the operations of the Recipient Agency, including all records and reports pertaining to the distribution of donated foods.
19. The Recipient Agency agrees to abide by any further requirements contained in the General Regulations and Policies pertaining to the distribution of donated foods as issued by the United States Department of Agriculture or by the State Distributing Agency.
20. Either agency may terminate this agreement by giving 30 days written notice. However, the State Distributing Agency, upon receipt of evidence that the Recipient Agency has not complied with terms hereof, may terminate the agreement immediately. Upon termination, the Recipient Agency agrees to distribute or return all donated foods in its possession in accordance with the instructions of the State Distributing Agency.

"Except that any termination of this agreement for noncompliance with Title VI of the Civil Rights Act 1964 shall be in accordance with applicable laws and regulations."

***TEFAP ONLY**

21. TEFAP Distributing Agency's agrees to distribute food at actual costs incurred not to exceed \$_____per distribution for October 1, 1993 to September 30, 1994.

***SOUP KITCHENS ONLY**

22. Signature on this contract renewal gives the Bureau of Human Resources assurance that you are complying with federal requirements stating soup kitchens will not diminish donations of food from other sources.

STATE DISTRIBUTING AGENCY

By _____
(Print or Type)

Signature _____

Title _____

Date _____

RECIPIENT AGENCY

By _____
(Print or Type)

Signature _____

Title _____

Date _____

Telephone No. _____

FAX No. _____

TEFAP ONLY

APPROVED BY:

Commissioner Date

Secretary Date

Department of Health And Human Resources
Office of Donated Foods
908 Bullitt Street
Charleston, WV 25301
Commodity Usage Forecast Sheet

Year: R
Outlet: SCH SCHOOLS

Start Date: 07/01/93

Group: A
Planned Assistance Level:

Commodity	Pack Size	Unit Value	Not Desired	Annual Amount	Total Value
A001 CHARBROILED SALISBURY STK (P)	144/2.5 OZ.	29.3238			
A002 MEATBALLS, COOKED (P)	667/1.6 OZ.	35.3288			
A003 TACO FILLING (BEEF) (P)	30#	24.1623			
A004 BREADED THIGH-DRUM-WING PTS. (P)	21.56#	11.9162			
A005 BREAST PATTIES UNBREADED (P)	140-152/3. OZ.	14.1933			
A006 STEAK, COOKED BREADED PORK (P)	120/3.75 OZ.	23.2804			
A007 STK CHARBROIL SALISBURY PORK P	144/2.6 OZ.	22.5576			
A008 CHARBROIL PORK RIS PATTY (P)	166/2.55 OZ.	25.9689			
A009 PORK COOKED SAUSAGE LINKS (P)	400/1.8 OZ.	32.2533			
A010 PORK COOKED SAUSAGE PATTY (P)	240/1.5 OZ.	29.8227			
A011 TURKEY BREAST SLAB (F)	40#	22.3876			
A012 TURKEY PICNIC HAM (P)	40#	18.7281			
A013 TURKEY SALAMI (P)	40#	18.7281			
A014 TURKEY BOLOGNA (P)	40#	18.2991			
A055 VEGETABLES, MIXED FROZEN	30 LB. CTN	14.4368			
A061 BEANS, GREEN, CND.	6/#10	18.8946			
A073 BEANS, GREEN, FROZEN	30# CARTON	9.7268			
A078 FIFTEEN PEAS, CANNED	6/#10	3.5253			
A079 BEANS, PINTO CND	6/#10	3.4695			
A080 BEANS, DRY CND. BABY LIMA	6/#10	3.4666			
A083 BEANS, DRY CND. PINK	6/#10	3.4666			
A084 BEANS, DRY CND. BLACK EYE PEA	6/#10	3.4666			
A085 BEANS, REFRIED CANNED	6/#10	13.2463			
A086 BEANS, DRY CND. RED KIDNEY	6/#10	3.4666			
A087 BEANS, DRY CND. SMALL RED	6/#10	3.4666			
A088 BEANS, DRY CND. GRT. NORTH	6/#10	3.4666			
A089 BEANS GBZO CND	6/#10	3.4666			
A091 BEANS, VEGETARIAN	6/#10	3.6547			
A110 CORN, CANNED LIQUID	6/#10	12.3983			
A115 CORN, WHOLE KERNEL (VAC) CND.	6/#10	13.4695			
A130 CORN, FROZEN	30# CTN	11.8492			
A131 ASPARAGUS, FROZEN	6/5#	39.5818			
A132 ASPARAGUS CANNED	24/#380	17.1473			
A133 ASPARAGUS CANNED	6/#10	29.6333			
A140 PEAS, GREEN CANNED	6/#10	3.9888			
A160 PEAS, GREEN FROZEN	30#	12.6268			
A200 POTATOES, DEHYDRATED	6/5#	15.6128			
A202 POTATOES, GRANULES, DEHYDRATED	6/#10	17.9468			
A204 POTATOES, ROUNDS, FROZEN	6/5#	8.4728			
A210 POTATOES, OVEN FRY	6/5#	8.3858			
A211 POTATOES, DEEP FRY	6/5#	7.3718			

Department of Health And Human Resources
Office of Donated Foods
508 Bullitt Street
Charleston, WV 25301
Commodity Usage Forecast Sheet

Year: R
Outlet: SCH SCHOOLS

Start Date: 87/01/93

Group: A
Planned Assistance Level:

Commodity	Pack Size	Unit Value	Not Desired	Annual Amount	Total Value
A214 POTATOES, FRESH, BAKING	50 LB	3.8650			
A220 SWEET POTATOES, SYRUP	6/#10	15.5945			
A222 SWEET POTATOES, MASHED, CANNED	6/#10	15.5948			
A238 TOMATOES FRESH 25#	25#	6.2580			
A239 TOMATO SAUCE	6/#10	10.2197			
A241 TOMATOES, DICED, CANNED	6/#10	13.1093			
A242 TOMATOES, CRUSHED	6/#10	11.7421			
A246 TOMATO PASTE, CANNED	6/#10	15.4868			
A247 TOMATOES, CANNED	6/#10	12.6416			
A253 ALMOND SLIVERS	25# CTN	52.1475			
A254 ALMOND BUTTER	6/#10	48.1148			
A257 WALNUTS, ENGLISH PIECES	30# CARTON	48.8528			
A280 GRAPEFRUIT JUICE, CND	12/46 OZ.	11.8099			
A282 APPLE JUICE, CANNED	12/46 OZ.	9.4125			
A285 GRAPE JUICE, CANNED	12/46 OZ.	12.6160			
A286 PINEAPPLE JUICE, CANNED	12/46 OZ. CAN	11.1298			
A288 VEGETABLES, MIXED FROZEN	30# CASE	14.4360			
A299 TOMATO JUICE, CANNED	12/46 OZ.	3.2955			
A300 ORANGE JUICE, CANNED	12/46 OZ CANS	3.4576			
A343 APPLES, FRESH	40# CTN	18.0680			
A345 APPLE SLICES, CANNED	6/#10 CANS	15.3535			
A350 APPLESAUCE, CANNED	6/#10 CAN	11.5547			
A356 GRAPEFRUIT FRESH 36.50#	36.50# CTN	8.8380			
A360 APRICOTS, CANNED	6/#10 CAN	28.5335			
A364 CHERRIES, INDIVIDUAL QUICK FRZ	40# CARTON	21.5960			
A365 CHERRIES, FRZ RED TART PITTED	30# CAN	12.9850			
A366 BLUEBERRIES, FROZEN WILD	30 LB CNT.	25.4910			
A367 BLUEBERRIES, FRZ CULTIVATED	30# CARTON	24.8670			
A368 BLUEBERRIES, FRZ CULTIVATED	20# CARTON	14.2540			
A370 BLACKBERRIES, FRZ (NO SUGAR)	30# CARTON	28.2580			
A371 RASPBERRIES RED FROZEN IQF	30# CARTON	29.8260			
A372 RASPBERRIES, RED FROZEN IQF	25 LB. CTN.	25.7580			
A373 RASPBERRY PUREE	6/5.75# CARTON	31.5820			
A374 RASPBERRIES, RED FROZEN	20 LB. CTN.	28.6000			
A375 STRAWBERRIES, IQF, FRZ	130# CTN	18.2570			
A376 BLACKBERRY PUREE	6/5.75 LB. CTN.	23.4784			
A377 BLACKBERRIES MARION PUREE FRZ.	6/5.75 LB CTN.	29.9874			
A378 CANE BERRY PUREE FRZ.	6/5.75 LB CTN.	35.5350			
A407 PEACHES, CLING QUARTERED	6/#10 CANS	28.8000			
A408 PEACHES, CND. CLING SLICED	6/#10 CANS	28.8688			
A409 PEACHES, CLING DICED	6/#10 CANS	19.1688			

Department of Health And Human Resources
Office of Donated Foods
908 Bullitt Street
Charleston, WV 25301
Commodity Usage Forecast Sheet

Year: R
Outlet: SCH SCHOOLS

Start Date: 87/01/93

Group: A
Planned Assistance Level:

Commodity	Pack Size	Unit Value	Not Desired	Annual Amount	Total Value
A418 PEACHES, CLING	5/418 CANS	18.3888			
A424 PEACHES, FROZEN	28# CARTON	13.2988			
A425 PEACHES, FREESTONE, QUARTERED	6/418 CAN	19.3758			
A427 PEACHES, FREESTONE, SLICED	6/418 CAN	29.4991			
A428 PEACHES, FREESTONE, DICED	6/418 CAN	19.8758			
A429 PEACHES, FREESTONE, CANNED	6/418 CAN	19.2311			
A430 PEARS, CANNED	5/418 CANS	15.9728			
A431 PEARS, HALVES	5/418 CANS	15.8558			
A432 PEARS, QUARTERED, CANNED	5/418 CAN	17.3888			
A433 PEARS, SLICED	6/418 CANS	16.5888			
A434 PEARS DICED	6/418 CANS	15.6648			
A441 PEARS, D'ANJOU FRESH	45# CARTON	13.5395			
A442 PEARS, BOSC FRESH	45# CARTON	11.2778			
A443 PINEAPPLE, CND, TIDBITS	6/418 CANS	21.8715			
A444 PINEAPPLE CRUSHED, CANNED	6/418 CANS	16.9547			
A445 PINEAPPLE, CANNED	6/418 CANS	16.5259			
A448 PINAPPLE CHUNKS, CANNED	6/418 CANS	17.3329			
A462 PLUMS, PURPLE, PITTED, CANNED	6/418 CAN	14.9588			
A463 PLUMS, PURPLE, CANNED	6/418 CAN	13.2228			
A478 FRUIT, MIXED	6/418 CAN	28.7128			
A472 DATE PIECES	38# CARTONS	23.5858			
A473 FIG NUGGETS	25# CARTON	19.1325			
A475 FIGS, DRIED	38# CARTON	23.1838			
A488 PRUNES, DRIED	24/1 LB. PKG.	21.7928			
A508 RAISINS	38# CARTON	15.3818			
A508 CHICKEN, DRUMSTICKS	48# CTH	14.8488			
A509 CHICKEN, LEG QUARTERS	48# CTH	13.2848			
A512 CHICKENS, FRZ WHOLE	38# CARTON	13.6388			
A514 CHICKENS, FRZ THIGHS/DRUMS	48# CARTON	14.8488			
A515 CHICKEN, FROZ. C/O	48# CARTON	25.1728			
A516 CHICKEN, FROZEN BREADED	38# CARTON	31.1488			
A517 CHICKEN, DICED FROZEN	4/18# BAGS	88.9728			
A519 CHICKEN MUGGETS SOC	38# CTH	5.9692			
A529 TURKEYS, FROZEN WHOLE	12#-24#	27.3185			
A537 TURKEY ROASTS	4-8 12# ROASTS	57.1125			
A548 TURKEY, FROZEN GROUND	4/18# BAGS	23.5848			
A541 TURKEY FRZ GROUND BURGERS	36# CTH	33.9848			
A568 POULTRY, CANNED BONED	24/29 OZ CANS	75.6988			
A561 CHICKEN PATTIES, FROZ. SOC	38 LB. CTH.	8.5527			
A562 CHICKEN, CANNED BONED	24/29 OZ.	85.6958			
A564 TURKEY, CANNED BONED	24/29 OZ. CAN	47.2671			

Department of Health And Human Resources
Office of Donated Foods
988 Bullitt Street
Charleston, WV 25301
Commodity Usage Forecast Sheet

Year: R
Outlet: SCH SCHOOLS

Start Date: 07/01/93

Group: A
Planned Assistance Level:

Commodity	Pack Size	Unit Value	Not Desired	Annual Amount	Total Value
A566 EGGS, WHOLE FROZEN	6/5# CASES	13.5838			
A575 EGG MIX	4/12# BAGS	51.1888			
A577 BEEF, FROZ. GR.	36# CARTON	46.9224			
A588 BEEF PATTIES, FRZ W/VPP	36# CARTON	42.7680			
A591 BEEF PATTIES, 100%	36# CARTON	49.2840			
A592 BEEF PATTIES, LOW FAT	36# CTN	58.9464			
A618 BEEF, CANNED W/HJ	24/29 OZ. CAN	65.8195			
A638 PORK, CANNED W/HJ	24/29 OZ. CANS	56.7118			
A648 PORK, FROZEN GROUND	36# CARTON	36.5768			
A671 HAM, FRZ COOKED BONELESS	48# CARTON	59.6848			
A742 TUNA, CHUNK LIGHT/WATER	6/66.5 OZ.	27.2544			
A751 CATFISH, FILLET STRIPS FRZ.	48 LB. CTN.	116.4888			
A888 SALMON, PINK CANNED	48/14.75 OZ CAN	75.2427			
A924 BEANS, DRY NAVY PEA	25 LB. BAG	5.9888			
A925 BEANS, DRY GREAT NORTHERN	25 LB. BAG	4.8725			
A926 BEANS, DRY SMALL WHITE	25 LB. BAG	4.8725			
A927 BEANS, DRY LIGHT RED KIDNEY	25 LB. BAG	3.8858			
A928 BEANS, DRY, SPLIT PERS	25 LB. BAG	3.9675			
A938 BEANS, DRY BLACK EYE PERS	25# BAG	6.9875			
A933 BEANS, DRY CARGANZO	25# BAG	6.9858			
A936 BEANS, DRY BABY LIMA	25# BAG	5.7858			
A933 BEANS, DRY PINK	25# BAG	3.8858			
A942 BEANS, DRY PINTO	25# BAG	6.3298			
A945 BEANS, DRY RED KIDNEY	25# BAG	4.8725			
A946 BEANS, DRY SMALL RED	25# BAG	6.9875			

Department of Health And Human Resources
Office of Donated Foods
908 Bullitt Street
Charleston, WV 25301
Commodity Usage Forecast Sheet

Years: R

Group: B

Outlet: SCH SCHOOLS

Start Date: 87/81/93

Planned Assistance Level:

Commodity	Pack Size	Unit Value	Not Desired	Annual Amount	Total Value	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun
8001 MARGARINE (P)	38/1#	6.2232							
8002 MARGARINE PATTIES (P)	6/5#	6.2232							
8003 MARGARINE (LOWFAT) 12# (P)	1000 REDDIES	1.5558							
8004 MARGARINE (LOW SODIUM) 12# (P)	1000 REDDIES	2.4893							
8005 SALAD DRESSING, FRENCH (P)	4/1 GAL	2.5567							
8006 SALAD DRESSING, ITALIAN (P)	4/1 GAL	2.5567							
8050 BUTTER	36/1#	37.4632							
8051 BUTTER PATTIES 300	6/5#	38.3750							
8059 CHEESE, SLICED	5/5 LB. LVS SLC	49.3000							
8060 CHEESE, PROCESS	6/5# LOAVES	39.1530							
8070 CHEESE, CHEDDAR	40 LB BLOCK	49.8000							
8071 CHEESE, CHEDDAR, WHITE	40 LB BLOCK	46.2375							
8072 CHEESE, YELLOW CHEDDAR	40#	45.4000							
8078 CHEESE, MOZZARELLA FR.	48.00#	64.6360							
9111 MILK, NONFAT DRY REGULAR BULK	50 LB. BAG	43.7500							
9112 MILK, NONFAT DRY REGULAR BULK	25 LB. BAG	21.8750							
9122 BULGUR	25# BAG	2.8550							
9141 CORNMEAL, DEGERMED	5/10# BAGS	5.0550							
9180 FLOUR, A. P. BLEACHED	5/10# BAGS	3.2150							
9200 FLOUR, BREAD, BLEACHED	5/10 LB. BAG	7.3550							
9201 FLOUR, BREAD, UNBLEACHED	5/10 LB. BAG	18.1250							
9300 FLOUR, WHOLE WHEAT	5/10# LB. BAG	3.7600							
9360 BAKERY MIX SOC	6/5# BAG	7.6500							
9381 GRITS, CORN, WHITE	10/5# BAG	7.5200							
9400 GRITS, CORN, YELLOW	10/5 LB. BAG	5.5550							
9405 HONEY, PROCESSED	6/5# CAN	22.1790							
9430 MACARONI	20# CARTON	4.3100							
9435 MACARONI SPIRAL	20# CARTON	5.5740							
9445 CATS, ROLLED	12/3# BAG	8.8820							
9475 PEANUT BUTTER, SMOOTH	6/1# CANS	32.5620							
9485 PEANUT BUTTER, CHUNKY	6/1# CANS	32.9210							
9490 PEANUT GRANULES	6/1# CANS	23.7270							
9500 PEANUTS, ROASTED	6/1# CANS	23.5232							
9515 RICE, MILLED	25 LB. BAG	4.7175							
9545 RICE, BROWN	25 LB. BAG	3.9300							
9570 WHEAT, ROLLED	12/3 LB. BAG	6.9300							
9670 OIL, VEGETABLE	6/1 GAL CANS	15.3476							
9681 SALAD DRESSING, SOC	4/1 GAL	3.0805							
9685 SHORTENING, LIQUID	6/1 GAL	16.7614							
9720 SHORTENING, VEGETABLE	12/3# CANS	14.6160							
9840 SPAGHETTI, ENRICHED	20# CARTON	4.7700							

WEST-VIRGINIA DONATED FOODS PROGRAM ADMINISTRATIVE REVIEW REPORT

1. Recipient Agency _____ County _____					
Address _____					
Sponsoring Agency _____					
Address _____					
Person(s) Interviewed _____ Title _____					
Telephone Number _____ Date of Interview _____					
Date of Last Review by State Distribution Agency? _____					
Were there any deficiencies found then? _____					
If so, were they corrected? _____					
2. RECIPIENT AGENCY CATEGORY	Also interviewed: _____				
☐ Child Nutrition Program (CNP) ☐ Charitable Institution (CI) ☐ Summer Camp (SC) ☐ Child and Adult Care (CACF) ☐ Food Bank (FB) ☐ Soup Kitchen (SK) ☐ Summer Food Service (SFSP)					
3. PARTICIPATION DATA					
A. CNP Only	B. SK Only	C. CI Only	D. SC or SFSP Only		
Average Daily Participation Breakfast _____ Lunch _____ Total _____ Enrollment _____	Total Meals Served the Last 12 Months Reporting Period _____	Total Population _____ Meals are served _____ times each day.	Average Daily Participation Children _____ Adults 19 years or over _____	Avg. No. Meals Served Daily to Children Only _____	Period of Operation: _____ Month/Day Begin: _____ End: _____
4. AGREEMENTS & CONTRACTS		YES	NO	RECOMMENDATIONS/COMMENTS	
A. Is signed agreement between the D/A and the recipient agency currently on file?.....		_____	_____		
If YES, is agreement signed by current administrator?.....		_____	_____		
B. Are there active processing contracts?.....		_____	_____		
1. If YES, give name and address of processor(s), date contract(s) been approved and expiration date(s).....		_____	_____		
2. Has contract(s) been approved by D/A?.....		_____	_____		
3. List end product(s) of contracts?.....		_____	_____		
C. Are there active food management contracts?.....		_____	_____		
1. If yes, does the contract include a clause that USDA donated foods provided to recipient agency will inure only to the benefit of the recipient agency feeding program?.....		_____	_____		

9. INVENTORY (REVIEW OF DONATED FOOD ITEMS ON HAND)

A. Dry Storage

Item & Package (A)	Inventory Record (B)	Actual Inventory (C)	Date of Package (D)	Monthly Usage (E)	Months Supply (F)	Amount To Transfer (G)
Almond Butter, cnd., 6/#10						
Apple Juice, 12/46 oz.						
Applesauce, cnd., 6/#10						
Apple Slices, cnd., 6/#10						
Asparagus, cnd., 6/#10						
Asparagus, cnd., 24/#303						
Beans, Gt. N., cnd., 6/#10						
Beans, Gt. N., dry, 25#						
Beans, Kidney, cnd., 6/#10						
Beans, Pinto, cnd., 6/#10						
Beans, Pinto, dry, 25#						
Beans, Green, cnd., 6/#10						
Beans, Veg., cnd., 6/#10						
Beef, cnd., N/J, 24/29 oz.						
Corn, lig., cnd., 6/#10						
Cornmeal, degermed, 5/10#						
Egg Mix, 4/10#						
Flour, AP, 5/10#						
Flour, Bread, Bl., 5/10#						
Flour, Whole Wheat, 5/10#						
Flour Mix, SOC, 6/5#						
Grape Juice, 12/46 oz.						
Grapefruit J., 12/46 oz.						
Macaroni, enriched, 20#						
Macaroni, Spiral, 20#						
Milk, dry, 6/4#						
Mixed Fruit, cnd., 6/#10						
Oats, rolled, 12/3#						
Oil, veg., 5/1 gal.						
Peaches, Cling, 6/#10						
Peaches, Freestone, 6/#10						
Peaches, diced, 6/#10						

Item & Package (A)	Inventory Record (B)	Actual Inventory (C)	Date of Package (D)	Monthly Usage (E)	Months Supply (F)	Amount To Transfer (G)
Peanut Butter, crny, 6/#10						
Peanut Butter, chky, 6/#10						
Peanuts, end., 6/#10 --						
Peanuts, 6/4#						
Pears, halves, 6/#10 -						
Pears, diced, 6/#10						
Pears, quartered, 6/#10						
Peas, end., 6/#10 -						
Pineapple, end., 6/#10						
Pineapple, Tidbits, 6/#10						
Pineapple, crushed, 6/#10						
Pork, end., 24/29 oz.						
Potatoes, fresh, 50#						
Potatoes, dehyd., 6/5#						
Shortening, liq., 5/1 gal						
Shortening, Veg., 12/3#						
Salmon, end. 48/14.75 oz.						
Spaghetti, enriched, 20#						
Sweet Potatoes, 6/#10 -						
Tomatoes, end., 6/#10 .						
Tomatoes, whole, 6/#10 ..						
Tomatoes, crushed, 6/#10						
Tomato Paste, end., 6/#10						
Tomato Sauce, end., 6/#10						

B. Frozen Storage

Item & Package (A)	Inventory Record (B)	Actual Inventory (C)	Date of Package (D)	Monthly Usage (E)	Months Supply (F)	Amount To Transfer (G)
Asparagus, 6/5#						
Beans, green, 30#						
Beef, Grn., 36#						
Beef, Grn., lean, 36#						
Beef, Patties, 36#						
Beef, Patties, lean, 36#						
Blackberry puree, 6/5#						
Butter, print, 36/1#						
Butter patties, SOC, 6/5#						
Cranberry puree, 6/5.75#						
Catfish, 40#						
Cheese, Mozz., 8/6#						
Cherries, IQF, 40#						
Chicken, C/U, 40#						
Chicken, Breaded #30						
Chicken, Diced, 4/10#						
Chicken, Leg quarters, 40#						
Chicken nuggets, SOC, 30#						
Chicken, Drums, 40#						
Eggs, whole, 6/5#						
Fish Nuggets, 4/10#						
Ham, Bnls., 4/10# Avg.						
Orange juice, 12/32 oz.						
Peaches, 20#						
Peas, Green, 30#						
Pork, Grn., 36#						
Potato Rounds, 6/5#						
Potatoes, oven fry, 6/5#						
Strawberries, IQF, 30#						
Turkey Roasts, 4/8-12#						
Turkey, Whole, 12#-24#						
Turkey, Ground, 4/10#						
Turkey Burger, 36#						
Vegetables, mixed, 30#						

Item & Package (A)	Inventory Records (B)	Actual Inventory (C)	Date of Package (D)	Monthly Usage (E)	Months Supply (F)	Amount To Transfer (G)
Almond Slivers 25#						
Apples, fresh 37#						
Apples, fresh 40#						
Cheese Process 6/5#						
Pears, D'Anjou fresh 45#						
Prunes, dry pitted 16/2#						
Raisins 30#						
Raisins 144/1.3 oz.						
Salad Dressing, SOC, 4/1 gal.						
Walnuts, Eng. Pieces, 30#						

11. SUMMARY RECORDING:

Signature		
REVIEWER	TITLE	DATE

D - 30.3e

REPORT OF LOSS OF DONATED FOODS

(1) COUNTY _____ DATE OF REPORT _____

(2) NAME OF RECIPIENT AGENCY _____

(3) ADDRESS _____
STREET CITY ZIP CODE

(4) TELEPHONE _____

(5) NAME OF SCHOOL (SITE) WHERE LOSS OCCURRED _____

(6) WHEN WAS THE LOSS DISCOVERED? _____
MONTH DAY YEAR

(7) PRIOR TO THE DATE ENTERED IN ITEM (6) ABOVE, THE FREEZER,
COOLER OR DRY STORAGE AREA IN WHICH THE LOSS OCCURRED WAS LAST
CHECKED ON _____ BY _____
MONTH DAY YEAR NAME TITLE

(8) WHO DISCOVERED THE LOSS? _____
NAME TITLE

(9) NAME OF ITEM LOST _____ PACKING DATE _____ SIZE OF PACKAGES _____ QUANTITY OF PACKAGES LOST _____ TYPE OF STORAGE DRY, COOLER OR FREEZER _____

IF MORE SPACE IS NEEDED, PLEASE ATTACH A SEPARATE LISTING.
DONATED FOODS DETERMINED UNFIT FOR HUMAN CONSUMPTION ARE NOT
BE DISPOSED OF WITHOUT PRIOR AUTHORIZATION OF THE STATE
DISTRIBUTING AGENCY.

(10) WAS ANY DAMAGED USDA DONATED FOOD ITEM DISPOSED OF? YES ___ NO ___

(11) GIVE THE NAME AND TITLE OF THE STATE DISTRIBUTING AGENCY
REPRESENTATIVE WHO AUTHORIZED THE DISPOSAL _____
NAME TITLE

(12) WHAT METHOD OF DISPOSAL WAS USED? _____

- (13) DISPOSAL WAS MADE BY _____
NAME TITLE
- (14) IF THE LOSS WAS THE RESULT OF A POWER FAILURE OR OUTAGE,
EXPLAIN BRIEFLY WHAT CAUSED THE POWER INTERRUPTION _____

- (15) IF THE LOSS WAS DUE TO A FREEZER MALFUNCTION, ARE THE DONATED
FOODS COVERED BY VENDOR GUARANTEE? YES___ NO___
- (16) EXPLAIN THE MALFUNCTION _____

- (17) THIS LOSS WAS DUE TO INFESTATION _____, SPOILAGE____, OR
CONTAMINATION OF DONATED FOOD RECEIVED ON _____
MONTH DAY YEAR
THE CONTAINER IS _____.
- (18) WHAT WAS THE TEMPERATURE OF THE DRY STORAGE AREA ON THE DATE
THE LOSS WAS DISCOVERED? _____
- (19) WAS FIRST-IN FIRST-OUT PROCEDURES FOLLOWED? YES___ NO___
- (20) WAS THE FOOD STORED OFF THE FLOOR? YES___ NO___
- (21) THIS LOSS DUE TO A BREAKING AND ENTERING WAS INVESTIGATED BY

NAME RANK
OF _____
LAW ENFORCEMENT AGENCY
- (22) EXPLAIN HOW ENTRANCE WAS MADE _____

- (23) EXPLAIN WHAT PRECAUTIONARY MEASURES WILL BE USED TO PREVENT
ANY FURTHER LOSS OF DONATED FOODS _____

- (24) WAS THE LOSS OF DONATED FOODS COVERED BY INSURANCE? YES___ NO___
- (25) _____ PREPARED BY _____
SIGNATURE OF SCHOOL PRINCIPAL SIGNATURE
OR AGENCY ADMINISTRATOR
DATE _____ TITLE _____
DATE _____

09/01/92

INSTRUCTIONS FOR COMPLETION OF FORM

"REPORT OF LOSS OF DONATED FOODS"

Any loss of donated foods regardless of the cause is to be reported immediately to the state distributing agency. Donated foods determined to be unfit for human consumption are not to be disposed of without prior approval and instructions from the state distributing agency. Any unauthorized disposal is subject to restitution in cash of the total dollar value of the donated food items.

Following are instructions for the completion of the form "Report of Loss of Donated Foods." The state distributing agency supplies each recipient agency a form from which copies are made by the recipient agency as needed.

- (1) Enter the county in which the recipient agency is located and the date the report is prepared.
- (2) Enter the name of the recipient agency as it appears on the agreement (Form ES-DF-02).
- (3) Enter the complete address of the recipient agency.
- (4) Enter the telephone number of the recipient agency as named on the agreement form. Public schools should show the telephone number of the county board of education.
- (5) Self-explanatory.
- (6) This should be the exact date the loss was discovered.
- (7) Enter the name and title of the person who first discovered the loss and reported it to appropriate officials.
- (8) Enter the date the storage facility was last checked and the name and title of the person who checked it on that date.
- (9) Under the column "Name of Item Lost" enter the complete name of the item.

Under the column "Packing Date" enter the packing date shown on the container (case, bag, baler, etc.).

Under the column "Size of Packages" show the item lost in whole cases if in fact whole cases were lost, or in units such as #6 cans, 29 oz. cans, 3# bags, 5# bags, etc.

Under the column "Quantity of Packages Lost" show the number of cases or units lost as defined under "Size of Packages."

Under the column "Type of Storage - Dry, Cooler or Freezer" write the appropriate word to define the type of storage being used at the time the loss was discovered.

- (10) This question must be answered.
- (11) Enter the name and title of the individual contacted who authorized the disposal.

- (12) Explain the method of disposal. Any item found unfit for human consumption and authorized for disposal is to be disposed of by taking to a landfill and buried, incinerated, or put in a garbage disposal.

Spoiled items are to be removed from the original container or wrapper prior to disposal. The container and the contents are to be disposed of separately.

- (13) Give the names and titles of the persons who are involved in the actual disposal.
- (14) Explain what caused the interruption; for example, breaker was thrown, fuse blown, unplugged from outlets, equipment quit running.
- (15) Answer "yes" or "no."
- (16) Describe briefly what happened to the freezer or cooler.
- (17) Answer "yes" or "no."
- (18) Check the appropriate space to show the type of loss, the date recipient agency received the food and the contract number, if possible.
- (19) This question must be answered if the loss of the food occurred while in dry storage.
- (20) Answer "yes" or "no."
- (21) Answer "yes" or "no."
- (22) If the loss was due to a breaking and entering, the name and rank of the investigating officer and the name of the law enforcement agency he represents must be shown.
- (23) Briefly describe how entrance was gained to the building and/or storage facility.
- (24) The recipient agency must explain what steps will be taken to prevent further losses of donated food due to similiar circumstances.
- (25) The report is to be signed by both the person who prepared the report and the school principal or agency administrator.

GUIDES FOR SUMMER STORAGE OF PERISHABLE FOODS

Improper storage practices and malfunctioning refrigeration equipment usually results in spoilage, infestation, contamination and deterioration of foods.

The following is a listing of good storage practices to follow when perishable foods are being stored during the summer:

- (1) Store foods only in properly operating refrigerators and freezers. Do not store food in equipment that is in need of repair.
- (2) Be certain the refrigeration equipment is thoroughly cleaned and dried before any food is placed in it.
- (3) Never place food directly on the floor; walk-in refrigerators and freezers should have dunnage racks on which food can be placed or shelving which allows a circulation of air. Foods should be stacked in an orderly manner in a walk-in refrigerator or freezer.
- (4) Temperatures within the freezers and refrigerators should be taken and recorded daily, if possible.
- (5) Refrigeration equipment should be checked at least every seventy-two hours to insure that it is operating properly. Any needed repairs should be taken care of immediately.
- (6) Refrigeration equipment should be checked immediately following a power failure (e.g. electrical storm) to make sure that it is operating properly.
- (7) All areas in which frozen food is stored should be secured by locks during the summer months. Only authorized personnel should have access to the keys and be allowed to check the equipment and take temperatures.
- (8) Any grain product left on hand should be placed in refrigeration during the summer months and utilized immediately following the re-opening of school.

Dry storage areas should be adequately ventilated and secured by locks. The temperature should never exceed 70° Fahrenheit. An effective rodent control program should be maintained.

ACCORDING TO USDA REGULATIONS THE STATE DISTRIBUTING AGENCY HAS NO ALTERNATIVE EXCEPT TO ASK RESTITUTION FOR ANY LOSS OF DONATED FOODS DETERMINED TO BE THE RESULT OF NEGLIGENCE ON PART OF THE RECIPIENT AGENCY.

FOOD STORAGE TEMPERATURE CHART

Dry Storage Area-Recommended Temperature
Cooler Storage Area - Recommended Temperature
Freezer Storage Area - Recommended Temperature

50°F - 70°F
35°F - 45°F
-10°F - 0°F

Month/Day/Year Temperature Checked By Month/Day/Year Temperature Checked By

1			1		
2			2		
3			3		
4			4		
5			5		
6			6		
7			7		
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27			27		
28			28		
29			29		
30			30		
31			31		

If Temperatures are not within recommended range take immediate corrective action to avoid food loss.

D - 30.6

Detach and Mail

FORM APPROVED OMB NO. 0584-0325

FOR FNS USE ONLY

U.S. DEPARTMENT OF AGRICULTURE
FOOD AND NUTRITION SERVICE

PARTICIPATION DATA
(Complete A or B)

**NATIONAL COMMODITY PROCESSING
(NCP) SYSTEM POST CARD**

RECIPIENT
AGENCY NAME: PLEASE PRINT

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37
DRESS:
38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36
CITY STATE ZIP CODE
CONTACT PERSON: 310 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33

TELEPHONE NUMBER 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51
AREA CODE EXTENSION MO YR
Date of Last State Agency Agreement

I certify that this information is correct to the best of my knowledge. I understand that a deliberate misrepresentation may subject me to prosecution under applicable State and Federal criminal statutes.

Signature of Authorized Agency Representative

Title

TYPE OF RECIPIENT AGENCY ("X" ONE)

57 Charitable Institution 58 Nutrition Program for the Elderly (NPE) 59 Summer Food Svc. Program (SFSP) 60 Private School
66 School Food Service Authority (SFA) 67 Independent Public School 68 Camps 69 Other—Federal Bureau of Prisons—V.A. Hospitals
75 Child Care Food Program (CCFP) 76 Correctional Facility
The information contained herein will be furnished to all interested parties

B. CHARITABLE INSTITUTIONS—CAMPS—CORRECTIONAL FACILITIES—OTHER

61 62 63 64 65 Number of Needy (Charitable Institutions Only)
70 71 72 73 74 Total Population (All Outlets)
77 Meals Services per Day (All Outlets includes 1, 2, or 3) 78 Number of Days of Operation per Week (All Outlets)

FORM FNS-516 (12-85)

U.S. DEPARTMENT OF AGRICULTURE
FOOD AND NUTRITION SERVICE
SPECIAL OPERATIONS BRANCH
NUTRITION AND TECHNICAL SERVICES DIVISION
ALEXANDRIA, VA 22302

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300
FORM FNS-516 (12-85)



POSTAGE & FEES PAID
U.S. DEPARTMENT OF
AGRICULTURE
AGR 104

Dear Recipient Agency:

This card will serve to introduce you to the National Commodity Processing (NCP) System operated by the U.S. Department of Agriculture (USDA) Food and Nutrition Service (FNS). Under NCP, FNS enters into agreements directly with processors so that USDA surplus food can be processed into more desirable and usable end products. Processors in turn, sell these end products at a price reduced/discounted by the value of the surplus foods contained in them. Surplus food in NCP are currently limited to bonus dairy products and honey. The program is intended to supplement the State's processing program.

FNS will supply each processor with a list of recipient agencies eligible to purchase processed items. To participate, you must have an approved agreement with the State Distributing Agency to receive donated foods under the direct distribution program. Also, you must register on the attached post card and return it to FNS as soon as possible.

Once your card has been accepted into the Automated Data Processing (ADP) System, you will receive a letter authorizing you to participate in the NCP System. The letter will contain your 9-digit recipient agency code number. The processor will use this number to report sales to your agency. Your agency's name will be added to the list given to processors.

A school food authority may complete one card for purchases it will make for all schools under its jurisdiction or the school food authority may have each school register on a card, if consistent with normal purchasing practices. Schools may participate in NCP under only one of these arrangements.

Thank you for your cooperation.

Sincerely,

THE FOOD AND NUTRITION SERVICE

THIS IS TO ALERT ALL INTERESTED PARTIES THAT ANY FALSE INFORMATION CONTAINED ON THIS CARD MAY SUBJECT THE AFFECTED PARTY TO CRIMINAL PROSECUTION.

FM: M:

PLACE
STAMP
HERE

FOOD AND NUTRITION SERVICE USDA
SPECIAL OPERATIONS BRANCH
NUTRITION AND TECHNICAL SERVICES DIVISION
3101 PARK CENTER DRIVE
ALEXANDRIA VA 22302

SECTION E
SPECIAL MILK PROGRAM

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Charges and Reimbursement	E - 2
Milk Shakes	E - 3
Reporting Procedures	E - 4

PURPOSE

United States Department of Agriculture (USDA) reimbursement enables schools without other food service programs to sell milk to students at a rate lower than cost. In participating schools, students determined eligible may receive milk free if the School Food Authority (SFA) elects to serve it. The SFA may or may not choose to provide free milk to students determined eligible by applications used for free or reduced price meals.

Current USDA regulations permit only schools and institutions without other food service programs to participate in the special milk program and to serve an unlimited number of half pints of milk to a student at any time during the school's established milk breaks or meal periods.

Effective with the passage of P.L. 99-661, split session pre-kindergarten and kindergarten children may participate in the Special Milk Program if they do not have access to any school meal (school lunch or school breakfast). Whenever possible all children attending a school shall have access to either the school lunch or the school breakfast program.

"Split Session" is defined as an educational program which operates for approximately one-half of the normal school day.

CHARGES AND REIMBURSEMENT

The charge to students for milk shall not exceed the difference between the current rate of reimbursement and the cost of the milk plus an established distribution cost of no more than two cents per half pint.

Schools without food programs participating in the Special Milk Program are required by United States Department of Agriculture (USDA) regulations to document the actual cost of serving milk to students. Operating balances in excess of two months must be reduced by serving milk free to students or by reducing the cost to the students.

Schools serving/selling special milk to kindergarten and/or pre-primary students should report any income from milk sold on 43-10-30S.

The charge to adults shall not be less than the cost of the milk. Reimbursement for milk served to adults is not permitted.

In non-pricing programs, all milk served through the Special Milk Program is reimbursed at the current rate of reimbursement per half pint.

MILK SHAKES

If milk shakes are sold or given free under the Special Milk Program in schools having no other food service program, the milk shake formula must be approved by the West Virginia Department of Education (WVDE), Office of Child Nutrition.

REPORTING PROCEDURES

A daily record of the actual number of half pints of milk served students and adults shall be maintained on Form WVDE 43-10-30S [G - 30.1], according to instructions. The report must be detailed daily at each participating school by a responsible person. The monthly claim for reimbursement is based on information recorded on this report. The completed form is submitted to the School Food Authority (SFA) on or before the fifth day of the succeeding calendar month. A copy will also be filed at the school.

At the end of each month during which milk was served to students, a monthly financial report, Form WVDE 43-10-31 [G - 30.3] is completed by each participating school according to instructions. Financial data provided on this report is the basis for justifying reimbursement. The completed report is submitted to the SFA on or before the fifth day of the succeeding calendar month. A copy will also be filed at the school.

The school or SFA is responsible for sending a copy of Form WVDE 43-10-30 [G - 30.5] to the West Virginia Department of Education (WVDE) for reimbursement.

SECTION F

FREE AND REDUCED PRICE MEAL AND FREE MILK POLICIES

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INTRODUCTION

Schools participating in the National School Lunch and/or Breakfast Program are required to serve free and reduced price meals to students determined eligible by the current USDA Income Eligibility Guidelines [F - 30.1].

To make it possible for a student to receive a free or reduced price meal, USDA regulations require that certain steps be taken. A policy statement which delineates the policies and procedures used in providing free and reduced price meals for students is approved each year.

APPLICATIONS FOR FREE OR REDUCED PRICE MEALS

NON-COMPUTERIZED PROGRAM

Applications [F - 30.2] and the Letter to Parents [F - 30.3] shall be sent to parents or guardians of each student as early as possible in the school year to allow time for the return of applications by the end of the first full week of school. The school principal, or a designated person, shall review all applications received and determine eligibility according to information given on the application. Parents or guardians shall be notified of the status of approval, change or termination of benefits (WVDE 43-10-20) [F - 30.4].

COMPUTERIZED PROGRAMS

County school systems or individual schools may choose to approve free and reduced price meal applications by computer. A computer-generated application may be sent to the parents to update annually for continued program benefits.

Throughout the school year, applications may be received for students transferring from another school or from parents whose financial status has changed.

If a student has received free and/or reduced price meals and transfers to another school, a record of eligibility shall be maintained at the original school. Either a copy of the application may be made or a new one submitted to the receiving school.

MEDICAID AND EDUCATIONAL BENEFITS

The United States Department of Agriculture has granted West Virginia permission to pilot a multi-use application. The application has been expanded to allow parents or guardians to express an interest in receiving Medicaid benefits and vocational and technical education benefits under the Carl D. Perkins Act. Additionally, the privacy act statement on the reverse side of the application has been expanded to accommodate Medicaid and educational benefits.

When an interest in Medicaid benefits has been expressed in Part VII of the application, and Part VII has been signed by a parent or guardian, the following procedures are to be used to transmit the information to the appropriate authorities:

Each child's name, address, county of residence, and a Social Security number of an adult family member should be sent to the Medicaid representative in your area.

When an interest in vocational and technical education benefits has been expressed in Part VII with a parent or guardian signature, the student's name may be released to appropriate educational officials.

**APPROVING APPLICATIONS FOR HOUSEHOLDS ELIGIBLE FOR
AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC)
FOOD STAMP (FS) BENEFITS**

Applications returned for review and approval which have AFDC or FS numbers [F - 30.6] must include the following information:

- student's name;
- AFDC or FS number; and
- parent's signature

**APPROVING APPLICATIONS FOR HOUSEHOLDS NOT ELIGIBLE FOR
AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC)
FOOD STAMP (FS) BENEFITS**

Applications returned for review which do not have AFDC or FS numbers must include the following information:

- student's name;
- list of household members;
- social security number of the adult signing the application or indication they do not have one;
- the current amount of income received by each household member identified by the individual who receives it and the source of the income; and
- parent or guardian's signature

All approved applications must show:

- eligibility category (free or reduced price);
- reviewing official's signature; and
- date of approval or denial.

Applications must be filed by category with corresponding master lists.

DIRECT CERTIFICATION

Direct Certification is a simplified method of determining some children's eligibility for free meals under the National School Lunch Program and School Breakfast Program, or free milk under the Special Milk Program without having the family complete a free and reduced price meal or free milk application. The Office of Child Nutrition obtains documentation from the West Virginia Department of Health and Human Resources and prepares appropriate computer sorts that enable the School Food Authority (SFA) to match the names of children that are members of households currently certified to receive food stamps or AFDC. Counties that are interested in participating in direct certification should call the Office of Child Nutrition.

INCOME

Income to be reported on the household's free and reduced price meal application form is a gross figure and generally is considered to be any monies received on a recurring basis. Specifically, gross income means money earned before deductions for income taxes, employee's social security taxes, insurance premiums, charitable contributions, bonds and the like. Income includes the following:

- payments of money for services, including wages, salary, commission or fees;
- social security: supplemental security income;
- dividends or interest on savings or bonds;
- income from estates, trusts and investments;
- cash withdrawn from savings;
- public assistance or welfare payments;
- unemployment compensations: workers' compensation and disability benefits;
- government civilian employee or military retirement or pensions;
- veterans' payments;
- pensions: retirement income and annuities;
- alimony or child support payments;
- regular contributions from persons not living in the household;
- net income for self-employed farmers and business-persons, rental income and royalties;
- students regular part time earnings; and
- other cash income.

Other cash income would include cash amounts received or withdrawn from investments, trust accounts and other resources, which would be available to pay the price of a child's meal.

Certain items of income are not to be reported on the application. Such income includes the following:

- food stamps;
- benefits received under the National School Lunch and Child Nutrition Acts;
- monies received by volunteers for services performed under such programs authorized by the Domestic Volunteer Services Act of 1973, as amended;
- military base housing or other subsidized housing, medical and dental services;
- student financial (cash) assistance, such as grants and scholarships;
- loans; and
- student earnings such as paper routes or babysitting that are not a regular part time job.

If the family is unemployed a figure must be given even if this figure is zero (0). The word "none" is not accepted by United States Department of Agriculture (USDA).

When there is a temporary reduction of income, eligibility should be determined on the present rate of income rather than on regular annual income. Persons may apply immediately at the time of reduction in income. Benefits become effective upon approval of the Free or Reduced application. The approving official should issue temporary approval of the application. The temporary approval shall be in effect until the time of recurring pay.

DETERMINING HOUSEHOLD SIZE

Basically, household size is determined by counting the number of related or unrelated individuals who live in a dwelling and who share living expenses or meals.

Students who are temporarily away at school and who receive their primary support from the family i.e., students attending boarding schools or colleges should be counted as members of the household.

Military personnel not actually living with the household are not considered a member of the household for purposes of determining eligibility, but the money he/she sends to the household is included in the household's income.

A foster child is a child who is living with a family but who remains the legal responsibility of the welfare agency or court. For purposes of determining eligibility, a foster child is considered a household of one. [F - 30.5 page 14]

In cases where no specific welfare agency or court is legally responsible for the child; or where the child is living with at least one natural parent, other relatives or friends of the family, the child shall be considered to be a member of the family with whom he/she resides, and the size and total income of the household shall be used to determine the child's eligibility.

An adopted child is a child for whom a family has accepted legal responsibility and is considered to be a member of the household in which the child resides.

An institutionalized child is a child who resides in a residential-type facility which the state has determined is not a boarding school. A child who is institutionalized is considered to be a household of one and, in most cases, has no income. Only income a child earns from full time employment and/or personally receives while in residence at the institution, may be considered as income.

An older child, totally responsible for himself/herself, who does not reside as a member of a household (but rather as a single economic unit) is considered a household of one. Earned income and money from all other sources are considered income for such a child.

A student who attends but does not reside in an institution is considered a member of the household in which he/she resides. Eligibility must be determined by the household size and income of that household.

Foreign exchange students, refugees, aliens and citizens of other countries and/or their dependent children are considered to be members of the household in which they reside. The total household size and income are used in determining eligibility.

Whether or not the stepparent supports a stepchild, the child in this situation falls within the definition of a household. Therefore, the total household income, including ADC or child support payments to the parent, must be included in determining eligibility.

REVIEWING OFFICIAL'S RESPONSIBILITIES

The reviewing official is responsible for ensuring that applications have been classified correctly by category of eligibility. If the reviewing official is authorized by the School Food Authority (SFA) to delegate the responsibility for reviewing applications, then the person so designated shall be informed about program requirements and policy. Since the SFA official who signed the policy statement agreement with the State agency ultimately is responsible for the integrity of the approval process, the principal's signature stamp may be used. A suggested alternative would be to place a statement in the school's files as to the name and/or title of the designee, who would then be permitted to sign the applications without having to use the principal's signature stamp.

The reviewing official may request verification of information submitted on any application under the following circumstances:

- a written, signed complaint;
- illegible, incomplete or questionable information on the application; and/or
- the United States Department of Agriculture (USDA) required verification sampling.

Reviewing officials cannot sign the parent's/guardian's name to an application completed by the parents or guardians but must return the application for the proper signature.

All households must be promptly notified of their eligibility status. In making determination regarding eligibility for meal benefits, increases in benefit levels must be made no later than three (3) operating days from the final decision.

A fair hearing procedure shall be established for parent's appeals concerning eligibility determination and for school official's challenges. The Parent and/or guardian has ten (10) days to appeal the decision of school officials. During an appeal or hearing, the student shall continue to receive free or reduced price meals. Standard hearing procedures are outlined in the Policy Statement [A - 30.2].

Indication of denial shall be sent to parents or guardians after receipt of the completed application.

Other questions pertaining to free/reduced price meal policies are answered in the Eligibility Guidance for School Meal Programs [F - 30.5].

REVIEWING OFFICIAL'S COMPLETING AN APPLICATION

A reviewing official may complete an application for a student known to be needy if the household fails to apply.

When exercising this option, the school official must complete an application on behalf of the student based on the best household size and income information available and make an eligibility determination. The source of the information must be noted. Social security numbers of household members need not be secured and these applications may be excluded from verification. The household must be notified that the student has been certified and is receiving free or reduced price benefits.

This option is intended for use in individual situations and does not allow eligibility determinations for categories or groups of children.

PROVIDING MEALS PRIOR TO APPLICATION APPROVAL

During the opening weeks of school, before applications for the current school year are received and approved, school officials shall serve free and reduced price meals or free milk to eligible students. To assist with eligibility determination during the first days of school, officials may use:

- applications on file from the previous school year;
- self-certification of secondary students under special circumstances;
- new students in a school with older siblings that were approved for benefits the previous year; and/or
- students that transfer within the county.

If students are provided free or reduced price meals or free milk in eligible schools (based on the previous year's application approval) during the period prior to the current year's application approval and are later determined to be ineligible, reimbursement may be claimed at the free or reduced price rate for those meals already served.

If students are provided free or reduced price meals or free milk in eligible schools (not based on the previous year's application approval) during the period prior to the current year's application approval and are later determined to be ineligible, reimbursement may not be claimed at the free and reduced price rate. These meals may be reimbursed at the paid rate.

APPLICATION FILES AND WORKING LIST

Following the review and approval or denial of applications, a file of current applications and working list of all applications shall be established and maintained according to:

1. Active free students whose current household income definitely indicates free status according to USDA Income Eligibility Guidelines [F - 30.1]
2. Active reduced students whose current household income definitely qualifies them for reduced status according to USDA Income Eligibility Guidelines
3. Temporary free
Temporary reduced students whose current household income indicates eligibility according to USDA Income Eligibility Guidelines determined temporary based on: unemployed or income from unemployment compensation, worker's compensation; seasonal unemployment; temporary lay offs; strikes; temporary use of public assistance; pending approval for public assistance; zero (0) income; or anticipated change in income
4. Inactive free
Inactive reduced students who have withdrawn or transferred
5. Denied students whose current household income does not meet the USDA Income Eligibility Guidelines

The temporary file of approved free and reduced price meal application must be reviewed every two months through parent or guardian contact. The dates of such reviews, contacts and the current status shall be noted on the application or the suggested form for updating information [F - 30.7] by the reviewing official. The working list shall be corrected, if needed, to agree with the application classification.

A working list of students shall be maintained in the same order as the filed applications and should indicate any status change and effective date.

All applications and documentation of action taken shall be maintained for three years plus the current school year.

COLLECTION PROCEDURE

A procedure to collect payments from students for meals must be established. The procedure must prevent the overt identification of students receiving free or reduced price meals and enable schools to obtain an accurate daily count of the number of free, reduced price, fully paid and adult meals served under the school lunch and breakfast programs. The collection procedure shall be approved by West Virginia Department of Education (WVDE). The procedure is reviewed along with the county application for program benefits. [A - 30.2] Suggested methods of collection may be found in the Policy Statement [A - 30.2]. Any variation in the suggested methods must be submitted in detail to WVDE for approval prior to implementation.

DAILY MEAL COUNT (POINT OF SERVICE COUNT)

During the period of school breakfast and/or school lunch service, schools are required to follow a system for counting, recording and reporting the number of meals served adults and students. The system shall provide an accurate daily record of the actual number of student meals at the point of service which were served free and at the reduced price or fully paid rate. The system shall prevent overt identification of students served free or reduced price meals. Suggested methods of obtaining point of service meal counts may be found in the Policy Statement. [A - 30.2] Any additional methods anticipated must be submitted in detail to West Virginia Department of Education (WVDE) for approval prior to implementation.

Systems which are accepted include:

- computerized point of service;
- coded tickets collected on the line, counted by category;
- coded tickets which are punched or marked on the line used with a counter to determine number of meals served by category;
- coded roster checked at point of service; and
- calculator tapes used with other source documents such as coded ticket or student number.

Systems which are not acceptable include:

- tallies (slash marks ///);
- memory (categorizing free and reduced meals by remembering student's eligibility);
- different color tickets/tokens;
- updated morning counts;
- tray count; and
- deduction (cash received divided by cost per meal, total meals minus free and reduced equal paid, total meals minus paid and reduced equal free).

Schools must maintain, for a period of one year, source documents to verify number of meals claimed for reimbursement.

In instances when second meals are served or sold, accurate identification of the student receiving the second meal is required. All second meals must be recorded as nonreimbursable meals.

NONDISCRIMINATION

No discrimination shall be made against any student because of inability to pay, nor shall the student's name be published nor identification made in any other way. Students eligible for free or reduced price meals shall not be required to:

- work for their meals;
- use a separate lunchroom;
- go through a separate serving line;
- enter the lunchroom through a separate entrance;
- eat meals at a different time; nor
- eat a different meal from the one sold to students paying the full price.

It is not considered discrimination to serve meals to students in a separate location and/or at a different time if the students are being disciplined for violation of school policies. However, there must be no difference in treatment of students based on eligibility to pay for meals. In no case shall a student be denied a meal or served a different type of meal as a means of discipline or as a result of discipline for violation of school policies.

It is not considered discrimination to serve a different meal to the student who requires special consideration due to a disabling condition supported by a physician's statement. The serving of a meal to a student with special dietary needs supported by a statement signed by a recognized medical authority is not considered discrimination.

STUDENT HELP

United States Department of Agriculture (USDA) regulations state that recipients of free or reduced price meals shall not be required to work for those benefits. However, they are not prohibited from working voluntarily in the lunchroom. Some schools employ student helpers in the lunchroom for monetary or other compensation. In these cases, parents of all workers should be informed in writing that their children have volunteered to work. The letter should state that for students who have been certified, continued eligibility is in no way dependent upon the student's working status. Additionally, the letter should not be a part of, nor attached to, the free and reduced price letter to parents, application or notice of approval/denial.

Students who work in the food service program can be given a free lunch. However, free or reduced price meal reimbursement may not be claimed unless the students' application has been approved in accordance with their eligibility, either full price, reduced price or free.

**VERIFICATION
UNITED STATES DEPARTMENT OF AGRICULTURE (USDA)**

The USDA income verification pilot project was authorized by P.L. 97-35 because of evidence which suggested that applicant misreporting was a widespread problem which was resulting in a substantial misuse of program funds. A major study conducted by USDA Office of Inspector General in 1980 estimated \$200 million in meal benefits were granted erroneously each year due to applicant misreporting and 28.8 percent of the students receiving free and reduced price lunches were ineligible for such benefits.

Each school food authority must verify a sample of the total number of applications approved for benefits by selecting a sample through either random or focused sample as described on page F - 16. The sample must be taken from approved free and reduced price applications on file as of October 31. An application is counted as **one** application regardless of whether it is a multi-child application or an application for one child. The sample size depends on the number of paper applications, not the number of children represented. **Do not include students that were approved through Direct Certification.** Confirmation of eligibility must be completed by December 15. Sponsors may request an extension by notifying the Office of Child Nutrition. The request must be received by November 30. The Sponsors Summary Report [F - 30.17] must be submitted to West Virginia Department of Education (WVDE) by January 10.

APPLICATION SELECTION

SFAs shall satisfy the verification requirement by using either random sampling or focused sampling.

- Option 1 Random Sampling consists of selecting and verifying three percent of applications on file. Procedures have been developed [F - 30.8] to provide a method for the random selection of free/reduced applications. Documentation of the random selection [F - 30.9] will be kept on file at the school.
- Option 2 Focused Sampling consists of (1) selecting and verifying a minimum of one percent of 1,000 of total applications selected from non-food stamp households claiming monthly income within \$100 or yearly incomes within \$1,200 of the income eligibility limit for free or reduced price meals plus (2) the lesser of one-half percent or 500 applications of food stamp households that provide food stamp case numbers in lieu of income information. Procedures have been developed [F - 30.10] to provide a method for the focused sampling selection of free/reduced applications. Documentation of the focused sampling [F - 30.11] will be kept on file at the school. Selection of Option 2 for verification purposes shall be the responsibility of the WWDE or the SFA and not the individual schools.

VERIFICATION PROCEDURES

To provide a uniform method for obtaining information for verification, forms will be sent to the household. The suggested letter [F - 30.12] should be duplicated on each school's letterhead. The letter is to be accompanied by the parent information form, Proof of Income [F - 30.13].

Procedures for developing a consistency check for verification [F - 30.14] will provide a uniform method for verifying information on free/reduced meal applications.

Notations should be made on all applications reviewed indicating date and findings.

Following the consistency check, if there is a difference between documentation and application, the household must be informed of the findings [F - 30.15]. This must be accompanied by a new free/reduced price meal application. When the new application has been approved the household shall be promptly notified. Increases in benefit levels must be made no later than three (3) operating days from the final decision.

When the new application has been denied or a reduction in benefits has occurred the household shall be notified within ten working days. An appeal can be initiated at this time.

During the ten day period and continuing through the appeal process the student's status remains the same.

If no response has been received within the ten days the household must be notified of a loss of benefits. [F - 30.15a]

When the verification procedure has been completed, a School Summary Report [F - 30.16] shall be sent to the School Food Authority (SFA) and a copy filed at the school.

The SFA shall compile all School Summary Sheets [F - 30.16] and send a copy of Sponsor's Summary Report [F - 30.17] to West Virginia Department of Education (WVDE).

RELEASE OF INFORMATION

Information obtained from families on the free/reduced lunch forms is to be used for determining student's eligibility for meal benefits.

This information may also be used to determine eligibility for free textbooks, workbooks and school supplies, and to provide student information to access Medicaid and Vocational and Technical Education benefits. The release of this information may only be authorized by the parent or guardian in Section VII of the application.

GUIDELINES TO DETERMINE PARTICIPANT ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS

School Year 1995-96

ANNUAL FAMILY INCOME BEFORE DEDUCTIONS

FAMILY SIZE	ELIGIBLE FOR FREE MEALS OR FREE MILK			ELIGIBLE FOR REDUCED PRICE MEALS		
	YEARLY	MONTHLY	WEEKLY	YEARLY	MONTHLY	WEEKLY
ONE	\$ 9,711	\$ 810	\$187	\$13,820	\$1,152	\$266
TWO	13,039	1,087	251	18,556	1,547	357
THREE	16,367	1,364	315	23,292	1,941	448
FOUR	19,695	1,642	379	28,028	2,336	539
FIVE	23,023	1,919	443	32,764	2,731	631
SIX	26,351	2,196	507	37,500	3,125	722
SEVEN	29,679	2,474	571	42,236	3,520	813
EIGHT	33,007	2,751	635	46,972	3,915	904

FOR EACH ADDITIONAL FAMILY MEMBER, ADD

3,328	278	64	4,736	395	92
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CONVERSION FACTORS

- IF PAID ONCE A WEEK, SALARY X 4.33 = MONTHLY INCOME
- IF PAID ONCE EVERY 2 WEEKS, SALARY X 2.15 = MONTHLY INCOME

WEST VIRGINIA DEPARTMENT OF EDUCATION

Charleston, West Virginia 25305

Application for Free or Reduced Price Meals, and Free
Textbooks, Workbooks, and Educational Supplies

PART I: ENROLLED CHILDREN'S INFORMATION - TO BE COMPLETED BY ALL APPLICANTS

CHILD'S NAME	AGE	SCHOOL, CENTER or CAMP	GRADE	HOMEROOM
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

PARTS II, III AND IV: COMPLETE THE PART THAT APPLIES TO YOUR FAMILY

PART II: FOOD STAMPS/AFDC HOUSEHOLDS NOW RECEIVING BENEFITS - If you receive food stamps/AFDC, complete this part and sign the application.

____ Yes, I receive Food Stamps for the children listed in Part I.

My case number is: _____

____ Yes, I receive AFDC for the children listed in Part I.

PART III: FOSTER CHILD - If you have a foster child, complete this part and sign the application.

Child's Name _____ Child's Monthly Personal Use Income _____

PART IV: ALL OTHER HOUSEHOLDS - If you do not receive Food Stamps or AFDC, complete this part and sign the application.

- List all members living in your household. Include parents, children, grandparents and all people related or unrelated who live in your household.
- List monthly income by category. List income (BEFORE TAXES) each person received last month and its source. Example: Wages, Social Security, Pension, Retirement, Welfare, Child-Support, or Alimony.

NAMES OF ALL OTHER HOUSEHOLD MEMBERS (Oldest to Youngest)	AGE	MONTHLY EARNINGS FROM WORK (Before Deductions)	MONTHLY WELFARE, PENSIONS, PAYMENTS RETIREMENT, CHILD SUPPORT, SOCIAL SECURITY, ALIMONY	ALL OTHER INCOME RECEIVED
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

TOTAL NUMBER OF PERSONS IN HOUSEHOLD _____ MONTHLY INCOME (Before Deductions) \$ _____

PART V: RACE/ETHNIC IDENTITY - You are not required to answer this question.

____ WHITE non Hispanic _____ BLACK non Hispanic _____ HISPANIC

____ ASIAN or PACIFIC ISLANDER _____ AMERICAN INDIAN or ALASKAN NATIVE

____ NO CHILD WILL BE DISCRIMINATED AGAINST BECAUSE OF RACE, GENDER, COLOR, NATIONAL ORIGIN, AGE OR DISABILITY

PART VI: SIGNATURE - An adult household member must sign this application before it can be approved.

PENALTIES FOR MISREPRESENTATION - I certify that the information provided is correct and that all income was reported. I understand that this information is being given for the receipt of federal funds and that deliberate misrepresentation of the information may subject me to prosecution under applicable state and federal law.

If you do not give a FOOD STAMP or AFDC case number, Federal Law (PL 97 35) requires you to list the social security number of the household member who signs the application before your child may receive free or reduced price meals. You do not have to give a social security number, but if you refuse, unless you indicate you have none, your child cannot receive free or reduced price meals. The social security number may be used to identify you for verifying the information you report on this application. The social security number may be released to Medicaid officials for identification purposes. Verification may include audits, investigations, contacting the state employment security office, food stamp or welfare office, employers, and checking the written information provided by the household to confirm the information received. If incorrect information is discovered, a loss of benefits or legal action may occur.

SIGNATURE OF ADULT:

X _____

Social Security Number of Signer or the word "NONE": _____

DATE: _____

Your application cannot be approved without a Social Security Number or an indication that you have "NONE".

FOR INSTITUTION USE ONLY:

Approved for Free Textbooks, Workbooks, School Supplies _____

Approved: Free Meals _____ Temporary Free _____ Reduced Meals _____ Temporary Reduced _____

Application Denied: _____ Reason for Denial _____

Signature/Stamp of Approving official _____ Date _____

PART VII: OTHER BENEFITS - You do not have to complete this part to get free and reduced price meals.

____ Yes, school officials may give my name, address, and Social Security number to the Medicaid office so that they can send me information about getting a Medicaid card for my child.

____ Yes, school officials may use the information provided on this application to determine my children's eligibility for free textbooks, workbooks, and other school supplies.

____ Yes, school officials may use the information provided on this application to determine my children's eligibility for special services and assistance under the Carl D. Perkins Vocational and Technical Education Act of 1990.

THE INFORMATION ON THIS FORM MAY BE USED ONLY TO ASSIST IN THE DETERMINATION OF ELIGIBILITY FOR THE PROGRAMS THAT I HAVE INDICATED. I UNDERSTAND I WILL BE RELEASING INFORMATION THAT WILL SHOW THAT I AM APPLYING FOR FREE AND REDUCED PRICE BENEFITS UNDER THE NATIONAL SCHOOL LUNCH PROGRAM. OFFICIALS FROM THE MEDICAID PROGRAM MAY VERIFY MY NAME AND ADDRESS. SCHOOL OFFICIALS MAY VERIFY ALL THE INFORMATION ON THIS FORM. I GIVE UP MY RIGHTS TO CONFIDENTIALITY FOR THESE PURPOSES ONLY.

I certify that I am the parent/guardian of the child(ren) for whom application is being made.

SIGNATURE (Paren/Guardian) _____ DATE _____

DEAR PARENT OR GUARDIAN:

This letter is sent to you each year by your child's school, center or camp. It explains how your family can apply for free or reduced meals, free workbooks, free textbooks and school supplies. Also, it allows you to indicate an interest in sharing this information with school officials to determine your child's eligibility to receive vocational education benefits. Additionally, it allows you to indicate an interest in receiving information on Medicaid.

MEAL BENEFITS: Reduced Price Breakfast = 30 cents Reduced Price Lunch = 40 cents

MEAL BENEFITS FOR CHILDREN WITH DISABILITIES: Schools shall make substitutions in foods for children whose disabilities restrict their diet. For more information, contact school officials.

MEAL BENEFITS FOR FOSTER CHILDREN: In certain cases, foster children are eligible for free or reduced price meals regardless of income. If you have a foster child, please contact school officials.

ELIGIBILITY

Look at the chart. Find your household size. **HOUSEHOLD IS:** All persons, including parents, children, grandparents and all people related or unrelated who live in your home and share living expenses. Find your total household income. **TOTAL HOUSEHOLD INCOME IS:** The income all household members receive before taxes. This includes wages, social security, pension, retirement, welfare, child support, alimony, or any other cash income.

INCOME GUIDELINES FOR REDUCED PRICE MEALS July 1, 1995 - June 30, 1996

HOUSEHOLD SIZE	TOTAL HOUSEHOLD INCOME BEFORE DEDUCTIONS:	
	YEARLY	MONTHLY
ONE	\$13,820	\$1,152
TWO	18,556	1,547
THREE	23,292	1,941
FOUR	28,028	2,336
FIVE	32,764	2,731
SIX	37,500	3,125
SEVEN	42,236	3,520
EIGHT	46,972	3,915
For Each Additional Household Member, ADD	4,736	395

If your total income is the SAME OR LESS or you receive food stamps or AFDC for your children, fill out the application and return it to the school, center or camp. You will be notified if the application is approved or denied.

WHAT IS A COMPLETE APPLICATION?

1. For a family receiving food stamps/AFDC, a complete application includes: child's name (Part I), case number (Part II) and adult signature (Part VI).
2. For a family keeping a foster child, a complete application includes: child's name (Part III), child's personal use income (Part III) and adult signature (Part VI).
3. For all other households, a complete application includes: child's name (Part I), household members (Part IV), monthly income (Part IV), source of income (Part IV), social security number of the adult signing the application or the word "NONE" if you do not have one (Part VI), and adult signature (Part VI).

PRIVACY

The information that you sent will be used to determine or prove your child's eligibility for free or reduced price meals. This information may also be used for free textbooks, workbooks and other school supplies. Your name and address may be shared with the Department of Health and Human Resources to send you Medicaid information or with school officials to determine your child's eligibility to receive vocational education benefits. If you want free books, and other school supplies, Medicaid information or vocational education benefits for your child, check the blanks in Part VII on the form and sign Part VII.

PROOF OF INCOME

The information you provide may be checked by the school, camp, or center's staff at any time. You may be asked to send information to prove your child is eligible to receive free and reduced price meals.

REPORTING CHANGES

You must report to your child's school, center or camp:

1. Any change in your income of \$50 per month or \$600 per year;
2. Any change in your household size; and
3. When you no longer receive food stamps or AFDC for your child

FAIR HEARING

If you do not agree with the decision on your child's application or the process used to prove income eligibility, you may talk with school, center or camp officials. You have the right to a fair hearing which may be arranged with the county superintendent, or center or camp director.

REAPPLICATION

You may apply for benefits any time during the school year. If you should have a decrease in household income, an increase in household size, or become unemployed, fill out an application at that time.

NONDISCRIMINATION

Children who receive free or reduced price meals are treated the same as children who pay for meals. No child will be discriminated against because of race, gender, color, national origin, age, or disability in the operation of the child nutrition programs. If you believe you have been discriminated against, write to the Secretary of Agriculture, Washington, D.C. 20250.

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305
APPLICATION FOR FREE MEALS OR REDUCED PRICE MEALS
NOTICE OF APPROVAL, CHANGE OR TERMINATION OF BENEFITS

TO:

(Name of Parent, Guardian or Adult Household Member)

(Address)

FROM:

(Name of School or Institution or Center)

Your Application for Free Meals or Reduced Price Meals for (name(s)) _____

has been reviewed on the basis of the current Income Guidelines set by the United States Department of Agriculture.

EFFECTIVE ON _____

_____ Your application for free or reduced price meals has been denied.

_____ Your application has been approved for free meals, and (in public schools) free textbooks, workbooks, and instructional supplies, pending a request for verification.

_____ Your application has been approved for reduced price meals, and (in public schools) free textbooks, workbooks, and instructional supplies, pending a request for verification.

_____ Your application has been temporarily approved for free meals, pending a request for verification.

_____ Your application has temporarily approved for reduced price meals, pending a request for verification.

_____ Applicant(s) is/are eligible for free meals rather than reduced price meals.

REASON FOR DENIAL OR CHANGE IN BENEFITS

If you have any question, please contact your school or center.

You may apply or reapply for free or reduced meal benefits at any time during the school year. Applications are available at the school, institution or center.

During the year, if there is a change either in your household's total income or in your household size, you should notify your school, institution or center. A decrease in total income, an increase in family size, unemployment or temporary layoff may make your participant eligible for free or reduced price meals. All households with participants who are receiving free or reduced price meals must notify the appropriate official of any change in household size or of any increase in household income of over \$50 per month.

The information you give in the Application process will be used only for the purpose of establishing your child's eligibility for free or reduced price benefits or for free textbooks and instructional supplies or for Medicaid information or Vocational Education benefits information if you have so indicated. The request for Food Stamp, AFDC Case Number, SSI or Medicaid number does not mean that your benefits will be changed. The number will be used only for eligibility determinations.

If your Application is denied or if it is approved for reduced price benefits rather than free and if you disagree with the decision, you may discuss this with your school principal or institution or center director. If, after such discussion, you wish further review of the decision, you are entitled to a fair hearing. A request for a hearing may be made either by letter or by telephone. Please contact your county superintendent, or in the case of a private school, your school director, or the sponsor of the child care center, home or institution.

Program benefits and service are available to all participants, without regard to race, color, gender, disability, age or national origin. If you believe you have been discriminated against because of race, color, national origin, age, gender or disability, write to the Administrator, Food and Consumer Service, USDA, Park Center Drive, Alexandria, Virginia 22302.

ELIGIBILITY

GUIDANCE

FOR SCHOOL MEALS

This manual contains information on Federal policy regarding the determination and verification of students' eligibility for free and reduced price meals in the National School Lunch Program, the School Breakfast Program, and the Commodity School Program. These policies also apply to the determination of eligibility for free milk under the Special Milk Program. Policies in your State may vary. State agencies may institute State policies that do not conflict with the Federal requirements. Check with your State agency if there are any questions regarding State policy.

All U.S. Department of Agriculture Programs are equal opportunity programs. If you believe you or anyone has been discriminated against because of race, color, national origin, sex, age, or handicap, write immediately to the Secretary of Agriculture, Washington, DC 20250.

August 1991

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Introduction

This manual contains information on determining students' eligibility for free and reduced price meals in the National School Lunch Program, the School Breakfast Program, and the Commodity School Program. It is also applicable for schools in the Special Milk Program that serve free milk to eligible students.

State agencies, school food authorities, and school officials that claim reimbursement for free, reduced price, and paid meals under USDA programs must ensure that they have adequate documentation on file to support the claim. School food authorities that participate in the Special Milk Program and that have elected to serve free milk to eligible children are required to have the same documentation as that for free meals except where noted.

It is the intent of Congress that nutritious meals or milk be available to all schoolchildren regardless of the household's ability to pay. USDA has regulations (7 CFR Part 245) that carry out this intention. State agencies and school food authorities enter into agreements to operate meal programs and to comply with these USDA regulations. However, State agencies may institute additional State policies that do not conflict with the Federal requirements.

Each of the forms, applications, statements, notices, letters, and worksheets mentioned in the manual are provided in a separate package to the State agencies. Contact your State agency for copies.

Part 1

General Requirements

All schools participating in the federally-assisted National School Lunch Program (NSLP), School Breakfast Program (SBP), Special Milk Program (SMP) or Commodity School Program **must** make meals or milk available to all students in attendance who wish to participate in the program(s).

All schools participating in the NSLP, SBP, or the Commodity School Program **must** make free and reduced price meals available to eligible students, and all schools participating in the free milk option of the SMP **must** make free milk available to eligible students.

State agencies (SA) and school food authorities (SFA) **must** provide free and reduced price benefits in accordance with the provisions explained in this manual. Authority for these requirements is found in the Code of Federal Regulations, 7 CFR Part 245, and other applicable Food and Nutrition Service and Departmental regulations.

SAs **must** issue free and reduced price policy guidance to SFAs and any other instructions necessary to ensure that SFAs are aware of Federal and State requirements pertaining to free and reduced price meals and free milk.

To be eligible to receive reimbursement for meals and milk served, each SFA **must** have an approved policy statement on file at the SA by October 15 of each year.

Once an SFA's policy statement is approved, the policy statement is considered part of its SA-SFA agreement to operate the programs.

See page 5 for the specific requirements for the policy statement.

Part 2

Free and Reduced Price Policy Statement

Policy Statement

Each school food authority (SFA) participating in the National School Lunch Program (NSLP), School Breakfast Program (SBP), or Commodity School Program **must** have an approved free and reduced price policy statement on file at the State agency (SA) or the Food and Nutrition Service regional office (FNSRO) by October 15 of each school year. Similarly, a free policy statement **must** be approved by the SA or FNSRO for SFAs participating in the Special Milk Program (SMP) with the free milk option. In lieu of separate policy statements for free milk and for free and reduced price meals, SFAs may combine the statement for both meals and milk when some of the schools in the district participate in the SMP and others participate in meal programs. Specific instructions on the development of the policy statement and policy approval process are provided to SFAs by the SA.

The free and reduced price policy statement **must** contain, at a minimum, the following:

- the official(s) designated to make eligibility determinations,
- the income eligibility guidelines (IEGs) for the current school year,
- the specific procedures to accept applications for benefits,
- a description of the method(s) used to collect payments from children paying the full price of the meal or milk or the reduced price of the meal which prevents the overt identification of the children receiving free or reduced price meals or free milk,
- an assurance that the school will abide by the hearing procedure and the nondiscrimination practices, and
- a copy of the application form and letter or notice to households.

The free and reduced price policy statement should also contain a copy of the following:

- the media release;
- notice to households of approval or denial of benefit;
- notice to households of selection for verification;
- notice to households of adverse action; and
- in SFAs that have opted to implement direct certification, a notice of eligibility under direct certification.

Each SFA **must** have an SA-approved policy statement by October 15, or reimbursement will be suspended until a policy statement is approved.

Policy Statement Renewal

At the option of the SA, an SFA may adopt its prior year's policy statement for the current school year without submitting a complete policy statement with all attachments each year. Under this option, an SFA **must** indicate that it is renewing its prior year's policy statement and submit only the changes to the prior year's policy for approval. The SFA **must** indicate any changes from the prior year and attach a description of the change. In all cases, the SFA **must** have an approved policy statement on file at the SA that accurately describes its current free and reduced price policies.

The renewal **must** reflect:

- changes made necessary by law/regulations;
- current IEGs; and
- changes made by the SFA, e.g., changes in collection procedures, designation of new approving/hearing official(s), changes in procedures for accepting applications, and revisions in the public release, notice to households, or application for free and reduced price meals/free milk.

Part 3

Public Announcement About Benefits

Public (Media) Release

Near the beginning of each school year, the public must be notified that the National School Lunch Program (NSLP), School Breakfast Program (SBP), Special Milk Program (SMP), and/or Commodity School Program are available in your school or school district. This notice must include the eligibility criteria for free and reduced price meals and/or free milk. It must be provided to the local news media, the employment office, and any major employers who are contemplating large layoffs in the attendance area of the school.

In school districts that implement direct certification, the notice may also include the information that households currently certified to receive food stamps or Aid to Families with Dependent Children (AFDC) for their children will be notified of their eligibility and that their children will be provided free benefits unless the household notifies the school that they choose to decline benefits. It must also say that food stamp and AFDC households should not submit an application unless they are not notified of their eligibility by a specified date determined by the school.

The public release **must** contain the same information supplied in the letter or notice to households, except that the public release **must** contain **both** the free and reduced price income eligibility guidelines (IEGs). However, a public release that only refers to the SMP should not contain reduced price IEGs.

A State agency (SA) may make the public release on behalf of its school food authorities (SFA). If so, this must be stated in the free and reduced price policy statement that is a part of the SA-SFA agreement. The free and reduced price policy statement must specify exactly what responsibilities the SA will assume, such as sending the public release to the local media, employment office, etc., and the names of the schools affected by the policy.

Copies of the public release **must** be made available upon request to any interested person.

Letter or Notice to Households

Also at the beginning of each school year, letters or notices **must** be distributed to the households of children attending the school. This letter or notice should tell the households that school nutrition programs are available and that meals may be available free or at a reduced price, or that milk may be available free. An application form must be included with the letter or notice.

The letter or notice should be sent to households of all schoolchildren as early as possible in the school year so that eligibility determinations may be made and free and reduced price benefits provided as soon as possible.

New students enrolling in a school after the start of the school year should be provided a letter or notice and an application form when they enroll.

The letter or notice **must** contain the following information:

- In schools participating in the NSLP, SBP, or Commodity School Program, the notice to households **must** contain only the **reduced price** guidelines with an explanation that households with incomes at or below the reduced price limits are eligible for either free or reduced price meals.
- In schools participating in the SMP with the free milk option, the **free** guidelines **must** be provided with the application.
- In schools participating in the NSLP, SBP, or the Commodity School Program and also participating in the SMP with the free milk option for their split-session kindergarten students, children in the split-session kindergarten **must** receive the free milk guidelines, and the households of the other students **must** receive the reduced price limits (with the explanation that households with incomes at or below the guidelines are eligible for free or reduced price meals). When a multi-child application is used in such schools, both guidelines **must** be included in the notice to households.
- Instructions on how a household may apply for free or reduced price meals or for free milk for its children.
- An explanation that an application for free or reduced price benefits cannot be approved unless it contains complete eligibility information as specified on page 10.
- An explanation that households with children who are members of currently certified food stamp households or AFDC assistance units may submit applications for these children with the abbreviated information described on page 10.
- An explanation that the information submitted on the application may be verified at any time during the school year.
- An explanation that:
 - households receiving free or reduced price benefits based on income and household size information **must** notify school officials during the school year of any decreases in household size and any increases in income over \$50 per month or \$600 per year, and

NOTE: The SA may establish a lesser amount.

- households that provide a food stamp or AFDC case number, in lieu of income information, **must** notify the SFA of any termination of certification for receipt of benefits for such children under the Food Stamp Program or AFDC Program and may complete another application listing income information.

- A statement that a household may apply for benefits at any time during the school year if their circumstances change.
- A statement that children of parents or guardians who become unemployed may be eligible for free or reduced price meals or for free milk during the period of unemployment.
- A statement that foster children may be eligible for free or reduced price meals or free milk regardless of the income of the households with whom they reside. The SFA may wish to include instructions on how to complete the application for a foster child.
- The following two statements must be included:

In the operation of child feeding programs, no child will be discriminated against because of race, sex, color, national origin, age, or handicap.

If you believe you have been discriminated against, you should write immediately to the Secretary of Agriculture, Washington, D.C. 20250.

- An explanation that a household may appeal the decision of the SFA with respect to the application using the hearing procedure described in the SFA's free and reduced price policy statement.

The SFA should inform households that the information they provide will be used only for determining eligibility for meal or milk benefits and verification of eligibility.

Requirements for application forms and parent notification are changed frequently as eligibility requirements change. Contact your State agency for the most current requirements.

Application Form Requirements

An application form **must** accompany the letter or notice to households. Unless the SA or SFA is obtaining information directly from the food stamp or AFDC office that students are categorically eligible for benefits (see pages 39-40 of this manual for more information on direct certification), households **must** apply for benefits for their children. The application forms provided to households **must** meet the following requirements:

- The application **must** be clear and simple in design.
- The application **must** include clear instructions for submission of a completed application.

- The application **must** request that the household provide the following:

For Food Stamp and/or AFDC Households:

- name of the child for whom application is made,
- food stamp or AFDC case number for the child for whom application is made, and
- signature of an adult household member.

For Other Households (Income Households):

- names of all household members,
- amount of income received in the prior month by each member and the source of the income,
- social security number of the adult household member who signs the application or an indication that the household member does not have one, and
- signature of an adult household member.

- The application form **must** contain:
 - a Privacy Act statement. That statement must address the following:
 - (1) the disclosure of a social security number is voluntary, however, a social security number is required for approval of the application;
 - (2) the social security number is required under provisions of the National School Lunch Act; and
 - (3) what uses will be made of the social security number.
 - the foster child statement. In certain cases foster children are eligible for free or reduced price meals or free milk regardless of the household's income. If you have foster children living with you and wish to apply for such meals or milk for them, please contact us. In lieu of this statement, the SFA may include on the form the instructions on how to apply for a foster child.
 - a statement directly above the signature block to certify (1) that the person signing is furnishing true information and to advise that person that the application is being made in connection with the receipt of Federal funds, (2) that school officials may verify the information on the application, and (3) that deliberate misrepresentation of the information may subject the applicant to prosecution under State and Federal statutes.

Additionally, the SA or SFA may wish to include a racial/ethnic identification question if the application is the only source of this data. If the application is not used for racial/ethnic data, an alternative method for collecting this information should be provided.

Foreign Language Translations

When SAs and SFAs develop their own application to accommodate more than one child in the household (a multi-child application), the application **must** provide space for identifying each child separately as a member of a food stamp household or AFDC assistance unit. This is necessary because of the possibility of "mixed" households in which some children may be part of a food stamp household or AFDC assistance unit and some may not. Those children who are part of the food stamp household or AFDC assistance unit **must** be given the opportunity to apply under categorical eligibility criteria. However, to establish eligibility for those children in the household who are not categorically eligible, all household names and household income information, **including** the amount of any AFDC assistance that is received, **must** also be provided on the application.

Schools using the multi-child application should require the household to submit a separate application for each foster child.

Where a significant number or proportion of the population eligible to be served in the SFA needs information in a language other than English, SFAs **must** make reasonable efforts, considering the size and concentration of such population, to send appropriate non-English language household letters or notices and application forms to such households.

Schools are encouraged to provide households with assistance in completing applications through the use of personnel proficient in foreign languages.

Questions and Answers About Applications

1. Q. How do I handle the distribution of applications for year-round schools?
 - A. Applications should be distributed on or about July 1 or soon thereafter so that households are provided with current eligibility criteria and so that eligibility determinations are based on the current income eligibility guidelines (IEGs).
2. Q. May I provide applications at the end of the school year for parents to return at the beginning of the next school year?
 - A. No. Households **must** be provided with the IEGs and other eligibility criteria near the beginning of the school year. The media release, household letter, and application form must reflect any changes in the eligibility criteria. Households **must** be provided with up-to-date eligibility information so they are fully aware of the eligibility criteria to determine whether or not to apply.
3. Q. May I distribute applications in the lunch line?
 - A. This is not recommended. If the application is distributed in the lunch line, all students may not have access to the application.
4. Q. May I distribute the applications to the children, or do I have to mail them to the parents? May I announce that applications are available in the principal's office for any child or parent who wants one?
 - A. The school may distribute the applications and a letter or notice to the children. They do not have to be sent in the mail. For example, the school could include the application in a packet of school-related information addressed to the parent but carried home to the parent by the student at the beginning of the school year. Applications **must** be distributed in some manner. A public announcement that applications are available and that interested parties may pick one up is not sufficient.
5. Q. Must I send applications to children who were approved last year?
 - A. Schools are required to distribute applications at the beginning of each school year to parents of all children in attendance at school. This requirement is designed to ensure that current income and household size are correctly represented each year.

EXCEPTION: School food authorities (SFAs) that elect to participate in the Special Assistance Certification and Reimbursement Alternatives are exceptions. These alternatives are known as Provision 1 and Provision 2. Under Provision 1, an SFA of a school having at least 80 percent of its enrolled children determined eligible for free or reduced price meals may authorize the school to reduce annual certification and public notification for those

children eligible for free meals to once every 2 consecutive school years. Under Provision 2, an SFA of a school that serves all enrolled students free meals may reduce annual certification and public notification for free and reduced price meals in that school to once every 3 years. Interested SFAs should contact their State agency for further information.

6. Q. In a computerized operation, may I submit a pre-printed copy of last year's application for the household to confirm the accuracy of the application and sign it? If not, what items may I preprint?
 - A. It is the household's responsibility to complete the application. A school may send households an application with the child's name, and the household's name and address preprinted on it. No other information required for eligibility determination may be preprinted.
7. Q. Does the racial/ethnic data collection question have to be included on the application form?
 - A. The racial/ethnic identity question is not required to be on the application. However, USDA regulations implementing the Civil Rights Act of 1964 require recipient agencies to have available for review racial/ethnic data showing the extent to which minorities apply and are beneficiaries of federally-assisted programs. If the SFA does not collect this data in another way, the application may be an efficient way to collect the data.
8. Q. Do I have to provide foreign language translations of the application and household letter or notice if I have translators available to assist the households in completing the application?
 - A. SFAs **must** send appropriate non-English language parent letters and application forms to households if a significant number of enrolled children come from households belonging to the same foreign language group and having limited English communication skills. If the number of non-English language households is not significant, the SFAs need not provide foreign language translations. Such SFAs are, however, encouraged to provide assistance in filling out applications through the use of personnel proficient in the necessary foreign languages.

Part 4

Processing of Applications

Free and Reduced Price Reimbursement

The school food authority (SFA) or school **must** have a valid application on file for each student served a meal or milk meeting program requirements that is claimed for Federal reimbursement at the free or reduced price rate. A valid application is one that is complete and has been currently and correctly approved for free or reduced price benefits.

EXCEPTIONS: Students who have been directly certified do not need to submit an application (see pages 39-40 of the manual for more information on direct certification). Also, residential child care institutions (RCCIs) and boarding schools with income information on file may document eligibility by other means. For more information on this process, SFAs should contact their State agency (SA).

Benefits Prior to Processing Applications

Before applications are processed for the school year, the SFA may only claim and be reimbursed for free and reduced price meals or free milk served to:

- children from households with approved applications on file from the previous year
- new children in an SFA from households with children who were approved for benefits the previous year, except that a child's categorical eligibility may not be extended to a sibling
- previously approved children who transfer from one school to another under the jurisdiction of the same SFA. If the applications are not centrally maintained, both the sending and the receiving school **must** maintain a copy of the transfer student's application.

Applications from the prior year may only be used for the students represented by these applications.

Prior to processing applications for the school year, SFAs cannot claim or be reimbursed for free and reduced price meals or free milk served to new children who are not part of households approved the previous year or to children who transfer between schools under the jurisdiction of different SFAs **unless** the receiving school obtains a copy of the prior year's application. Therefore, local school officials are encouraged to expedite eligibility determinations for all such new enrollees.

Applications from a prior year are only valid for the first 30 operating days of the school year (or earlier if specified by the SA).

Application Processing Timeframe

Applications should be reviewed and an eligibility determination made **within 10 working days** of the receipt of the application. Whenever possible, applications should be processed immediately, particularly for new students who do not have approved applications on file from the previous year.

Eligibility Criteria

For a child to be eligible for free or reduced price benefits, the child must have been directly certified or the household **must** have submitted a complete application **and** be either categorically eligible or income eligible.

Complete Application – An application that contains all required information for making an eligibility determination as described below.

Categorical Eligibility – If food stamps or Aid to Families with Dependent Children (AFDC) is received for a child, that child is automatically eligible for free meals or milk when the household submits a complete application as described below.

Income Eligibility – A child from a household that submits a complete application and the sum of the reported income for the household is at or below the income eligibility guidelines (IEGs) is eligible for either free or reduced price benefits, as applicable.

The determining official **must** review each incoming application to ensure that the household has submitted a complete application. If the application is complete, the official **must** then determine whether the household is categorically eligible or income eligible for benefits.

U.S. citizenship is **not** a condition of eligibility for free and reduced price benefits. SFAs **must** apply the same eligibility criteria for citizens and non-citizens.

Complete Application

A complete application **must** include all the following required information before the determining official can make an eligibility determination:

Required information to determine categorical eligibility (for food stamp/AFDC households):

- name of the child,
- the appropriate food stamp or AFDC case number, and
- signature of an adult household member.

Required information to determine income eligibility (for non-food stamp/non-AFDC households):

- names of **all** household members including the child for whom application is made;
- social security number of the adult who signs the application or an indication that the household member does not have a social security number;
- the current amount of income received by each household member identified by the individual who receives it, and the source of the income, such as wages, welfare, alimony; and
- signature of an adult household member.

Required information to determine income eligibility for foster children:

- name of the child,
- child's personal income, and
- signature of an adult household member.

For children from food stamp or AFDC/income eligible households:

If a child is not a member of a food stamp household or an AFDC assistance unit but resides in a larger household with other children who are food stamp or AFDC recipients, the application for that child **must** include all information to establish income eligibility for that child, i.e., the names of all household members, the social security number of the adult who signs the application or an indication that the household member does not have a social security number, the amount of income received by each household member identified by the individual who receives it, the source (including the amount of any AFDC or other welfare grant), and the signature of an adult household member. Food stamp benefits are **not** counted as income. When the SFA uses a multi-child application, the application would include both the food stamp and/or AFDC case number(s) for the child(ren) who are categorically eligible and the household size and income information for households establishing income eligibility.

The SFA **must not** delay approval of the application if the household fails to provide any information that is not required.

EXAMPLE: If the household does not complete the racial/ethnic identity question, that must not delay approval.

Computation of Current Income

Each household **must** provide the amount of income received during the month before applying. Income must be identified with the individual who received it, and where it comes from (such as wages, welfare, etc.). **It is the responsibility of the determining official to compute the household's total current income and compare the total amount to the IEGs.**

If only one income is given, compare that income to the relevant IEG for that timeframe.

EXAMPLE: For a household of five that receives one paycheck each month, compare their income to the monthly IEG for a five-person household.

If all incomes are received for the same timeframe, add all the incomes together and compare the total income to the IEG for that timeframe.

EXAMPLE: If both parents in a family of three receive paychecks each week, add the two incomes together and compare the total to the weekly IEG for a household of three.

However, households may report incomes for different time periods (e.g., one monthly, one biweekly, one weekly); the determining official should convert all reported incomes to the same time period (such as all to a monthly amount), and total the incomes to determine total household income. The official **must** then compare this figure and the household size to the IEGs and determine the eligibility of the household.

Use this computation if you need to convert incomes:

To compute monthly income:

- If income is received **every week**, multiply the total gross income by 4.33 to determine the monthly income.
- If income is received **every two weeks**, multiply the total gross income by 2.15 to determine the monthly income.
- If income is received **twice a month**, multiply the total gross income by 2 to determine the monthly income.

**Application
Approval or
Denial**

Categorically eligible (food stamp/AFDC) households:

Households that submit a complete application including a valid food stamp or AFDC case number for the child for whom application is made **must** be approved for free benefits.

School officials should familiarize themselves with valid food stamp/AFDC case numbers used in their areas before beginning application approval. If there is any doubt concerning the validity of the case number submitted on an application, the school official should contact local food stamp or AFDC officials. Applications with invalid case numbers may not be approved.

Income eligible (non-food stamp or AFDC):

Households that submit a complete application indicating total household income at or below the income limits for free or reduced price benefits **must** be approved for free or reduced price benefits, as appropriate.

Households that submit an incomplete application cannot be approved. If any **required** information is missing, the information **must** be obtained before an eligibility determination can be made.

To get the required information, the school may return the application to the household or contact the household either by phone or in writing. The determining official should document the details of the contact, and date and initial the entry.

EXCEPTION: If the application is missing the signature of an adult household member, the application **must** be returned to the household. In signing the application, the household member is certifying that the information on the application is true and correct.

Every reasonable effort should be made to obtain the missing information prior to denying the application.

Households that are not categorically eligible or income eligible cannot be approved for benefits.

If there are any inconsistencies or questions concerning the required eligibility information provided, the household's application **must** be denied unless the inconsistencies or questions are resolved. For instance, if it is unclear whether the household provided weekly or monthly income, this issue must be resolved before an eligibility determination can be made. The official may contact the household prior to denial, document the details of the contact, and date and initial the entry.

If the application form specifies a frequency of income such as monthly, then an SFA may, in most cases, assume that the income listed on the face of the application is received for that frequency unless the household has cited otherwise. If the amount appears to be inconsistent with the frequency, the school official should follow up.

**Temporary
Approval**

When a household reports zero income or a temporary reduction in income, eligibility **must** be determined based on the present rate of income rather than on regular annual income. However, the approving official should issue temporary approval of the application.

The timeframe for a temporary approval may vary depending on the household's circumstances.

EXAMPLE: If the primary wage earner expects to return to work in 2 weeks, the temporary approval may be for a shorter time than if the primary wage earner has lost his or her job and has no prospects for a new one.

In general, a suggested time limit for temporary approval is 45 calendar days unless otherwise stipulated by the SA. At the end of the approval period, the school should contact the household to determine if the household's circumstances have changed. If there has been no change, the school should document the contact and extend the temporary approval. If the household's circumstances have changed, the school should send a new application to the household so that they may reapply for benefits.

EXCEPTION: Zero income on an application for a foster child or institutionalized child is acceptable and may be approved for the school year.

Eligible children should receive temporary approval in the following types of economic situations:

- temporary layoffs
- strikes (voluntary work stoppage)
- temporary receipt of public assistance (in cases where the application specifies receipt of public assistance for a limited time)
- zero income, for whatever reason (except foster children and institutionalized children)
- temporary disability.

Households That Fail to Apply

Local officials may complete an application for a student **known to be eligible** if the household fails to apply.

When exercising this option, the school official **must** complete an application on behalf of the student based on the best household size and income information available and make an eligibility determination. **The source of the information MUST be noted on the application.** Names of household members, social security number, and signature of an adult household member need not be secured. These applications should be excluded from verification. However, the household **must** be notified that the student has been certified and is receiving free or reduced price benefits.

This option is intended for limited use in **individual** situations and **must not** be used to make eligibility determinations for categories or groups of students.

Notification of Eligibility Determination

All households **must** be notified of their eligibility status.

Households **denied** benefits **must** be given written notification of the denial. The notification **must** advise the household of:

- the reason for the denial of benefits,
- the right to appeal,
- instructions on how to appeal, and
- a statement that households may reapply for free and reduced price benefits at any time during the school year.

Changes in Household Circumstances

If approval for benefits is based on income and household size, the household **must** report increases in income of over \$50 per month or \$600 per year and any decreases in household size. When a household reports such changes, the SFA **must** review the information, make any appropriate change in eligibility, and notify the household.

If approval is based on receipt of food stamp or AFDC benefits, the household **must** report when it no longer receives benefits for the child. A household that reports such a change and wishes to continue benefits for the child **must** complete a new application and provide information to allow a determination of eligibility based on income, i.e., household size and income and a social security number for the adult household member who signs the application. The determining official **must** review the information, make an eligibility determination, and notify the household of that determination.

Appeals

A household may appeal either the denial of benefits or the level of benefits for which they have been approved. When a household requests an appeal, the hearing procedures outlined in the SFA's free and reduced price policy statement **must** be followed.

Recordkeeping

All free and reduced price applications, including applications from households denied benefits and inactive applications, **must** be kept on file for a minimum of 3 years after the end of the fiscal year to which they pertain, and they must be readily retrievable by school. Files must be kept longer if they are required by an audit. If audit findings have not been resolved, the applications **must** be maintained as long as required for resolution of the issues raised by the audit.

For applications from households approved for benefits, the determining official should indicate the date each application is approved, and the level of benefit for which each child is approved, and sign or initial the application.

For applications from households denied benefits, the determining official **must** identify and retain on file the reasons for the denial. Records should also include the date of the denial, the date the denial notice is sent, and the name of the determining official. These may be noted directly on the application.

For changes in application status, determining officials should note the change and the date of the change on the application and on any rosters used. When a child transfers to another school within the SFA, a copy of the application **must** be retained at both the sending and receiving schools and the date of the transfer noted. Current applications must be on file and there must be records to support transfers of students out of the school.

Applications may be maintained either at the school or at a central location with a list of eligible students maintained at the school. If an SFA elects to maintain applications at a central location, applications **must** be readily retrievable by school, and the SFA **must** ensure that changes in eligibility status and transfers in and out of the school are accurately reflected on each school's list in a timely fashion as required by regulations.

Questions and Answers

Processing Applications

1. Q. How much judgment or discretion may a school food authority (SFA) exercise in determining whether a household does or does not meet the eligibility criteria for benefits?
 - A. Frequently questions arise concerning what is to be included as income and what constitutes a household. The *Eligibility Guidance for School Meals Manual* is intended to provide guidelines for those individuals making eligibility determinations. The guidance cannot, however, address each individual situation. Determining officials will occasionally have to apply the broad concepts set forth in this guidance to some individual situations. If unusual situations unlike any examples in the guidance arise, the determining official should contact the SFA or State agency (SA), as appropriate.
2. Q. How quickly should I process applications?
 - A. Applications for new students and others who cannot be provided meal benefits based on the prior year's eligibility should be processed as quickly as possible. For children with an application on file from the prior year, such as returning students and new students who had siblings in the school the prior year, an eligibility determination should be made within 10 working days of the return of the new application, unless otherwise stipulated by the SA.
3. Q. If a migrant or other household leaves the SFA late in the school year, in March for example, and returns at the beginning of the next school year, may the children be fed based on last year's application prior to application approval?
 - A. Yes, if the children were eligible for benefits when the household left the SFA.
4. Q. If any item of required information is missing from the free and reduced price application, may the determining official make an eligibility determination on the basis of a sibling application or must he/she consider the application incomplete and take followup action?
 - A. A determining official may look to a complete sibling application for any item of required information except Aid to Families with Dependent Children (AFDC) or food stamp information. Since AFDC and food stamp categorical eligibility is on an individual basis, the determining official **must** either contact the household for that information or consider the application incomplete.

The official may staple the incomplete and complete applications together. In lieu of stapling the two applications together, the official may either photocopy the complete application and staple the photocopy to the incomplete application, or transfer the information from the complete application, initial it,

and note the source of the information. The complete application **must** be readily available for review.

5. Q. If any item of required information is missing from the free and reduced price application, may the determining official complete the application for the household using information derived from other records available to the school?
 - A. No item of required information may be derived from a source other than the household or a sibling application.
6. Q. A household voluntarily provided pay stubs that conflict with the income information on the application. According to the income information on the application, the household is eligible for benefits. However, from the pay stubs, it appears that the household is not eligible. What should the determining official do?
 - A. The submission of eligibility information that does not support the content of the application **must not** affect the initial eligibility determination. The determining official **must** approve or deny the application on face value and notify the household of the initial eligibility determination.

However, whenever the household submits eligibility information, either voluntarily or as required by the school, that does not confirm the level of benefits for which the household has been approved, the school official **must** take appropriate action. When this occurs at the time of application there are two options:

- The school may combine the notice of approval with the notice of adverse action in a single letter. This provides the household opportunity to resolve the discrepancy during the 10-day advance notice of adverse action.
- When the determining official believes that the household may have additional information substantiating the eligibility determination, the school may combine the notice of approval with the notice of selection for verification to give the household opportunity to submit additional documentation to confirm eligibility.

School officials are in the best position to determine the appropriate action to take. However, the inconsistency **must** be resolved.

7. Q. A household voluntarily provided pay stubs with the application but did not write the amount of each person's income on the application. All other items were completed. According to the pay stubs, the household is eligible for benefits. What should the determining official do?

- A. Rather than denying the application or returning the application to the household, the determining official may contact the household, by phone or in writing, to ensure that the household submitted all documentation of income. The official should document the contact, enter the information on the application, and initial and date the action.
8. Q. What is acceptable as an adult signature?
- A. Any printed name or cursive signature appearing in the space following the certification statement is an acceptable signature. We cannot expect all legal signatures to be cursive.
9. Q. When using a single child application, if the adult signature is missing, can a sibling's application be photocopied and/or stapled to the application missing the signature to make a complete application?
- A. Yes, if the remainder of the information is the same and if the child whose application is missing information is listed as a household member on the sibling application.
10. Q. Several applications, none of which is complete, are submitted from the same household for different children. How many sibling applications can be used to generate a complete application?
- A. There must be at least one complete application in which the household member has certified the information to be correct from which information may be obtained to complete one or more sibling applications.
11. Q. May the approval of applications be delegated to a food service management company along with other management responsibilities?
- A. No. The determination of eligibility for free and reduced price meals is an SFA responsibility and may not be assigned to a food service management company. School officials are directly responsible for determining eligibility and maintaining the confidentiality of the information on the application.
12. Q. If a sibling was not listed on last year's application but comes from a family with children who were eligible for free meals last year, can I claim free reimbursement for that child before applications are processed for the school year?
- A. Yes, the SFA may claim the same level of benefits for new children from households with children who were approved for benefits last year.
13. Q. In a computerized operation, where the computer generates the determination, does the determining official have to sign or initial each application?

- A. No. The determining official may sign or initial and date a sheet of paper that would then be attached to a batch of applications. However, the computer system should be able to capture the original date of approval and to update the status of applications to account for transfers, withdrawals, terminations, and other changes.

Complete Application

1. Q. Does an emancipated child sign his/her own applications? Is a social security number required?

A. An emancipated child who lives alone as a household of one or as a member of a household with no adult household members **must** sign his or her own application. No social security number is required since the emancipated child is not an adult.
2. Q. Who signs the application for a foster child?

A. The foster parent or guardian or other official representative for the child **must** sign the application for a foster child; however, the foster parents' or guardians' income, household size, and social security number are not needed on the application.
3. Q. Does income have to be indicated on the application for a foster child?

A. Yes. The child's income **must** be considered for the eligibility determination. A foster child's income includes funds provided by the welfare agency that are specifically identified by category for the personal use of the child, such as for clothing, school fees, and allowances. In addition, other funds received by the child are included as income, for example, income a child earns for full-time or regular part-time employment, and money provided by the child's family for personal use. If funds are not specifically identified for personal use, income should be listed as "0," and the application should be approved for a full year. This also applies to applications for children residing in residential child care institutions.
4. Q. What if there is no income listed on an application? Do I consider it as zero or should I go back to the household for additional information?

A. If no income is listed on the application, the determining official should contact the household for additional information. If the determining official is unable to contact the household, the application **must** be denied because it is incomplete.

5. Q. What if the racial/ethnic data collection question is not completed?
- A. Parents' provision of this information is voluntary, and failure to provide the information **must not** affect the child's eligibility for benefits. SFAs are required to develop alternative means of obtaining racial and ethnic data for applicants when such information is not voluntarily provided by parents on the application.
6. Q. What applications may be considered for temporary approval?
- A. Applications that may receive temporary approval include those from households affected by temporary layoffs, strikes, temporary receipt of public assistance, and zero income. Zero income, however, may be acceptable for a foster child or institutionalized child. Determining officials should use their own judgement and consider temporary approval for other questionable situations.
7. Q. An application was approved for benefits and the household notified. During a review of the applications later in the school year, the reviewer discovered that the determining official had erred and that the information on the application did not support the household's eligibility for benefits. What should be done?
- A. Whenever there is a reduction or termination of benefits, for whatever the reason, households **must** be provided the 10-calendar-day written advance notice of adverse action. When there is an increase in the level of benefits, the household **must** be notified and the increase in benefit level provided promptly.
8. Q. What kind of notice is recommended for children determined to be eligible for free or reduced price meals?
- A. Households **must** be notified of their eligibility for benefits. SFAs should notify households of their child's eligibility for free or reduced price benefits either in writing or by phone. Households denied benefits **must** be notified in writing.

Maintenance of Applications

1. Q. If I have temporarily approved an application, and if after the temporary approval period I know that circumstances have not changed, do I have to contact the household, or may I automatically extend the temporary approval?
 - A. After each temporary approval period, each household should be contacted again to offer the household an opportunity to report changes in household size and income information.
2. Q. May changes in the status of an application be maintained in a computer instead of being noted on the application?
 - A. Yes. Changes in the status of an application may be maintained in a computer instead of being noted on the application. School officials **must** ensure that the changes are readily retrievable by school and are provided to State and Federal reviewers along with the applications during a review of the applications.

Part 5

Income Eligibility

General

To determine if a household meets income eligibility requirements for benefits, school officials **must** compare the household size and the total household income to the income eligibility guidelines (IEGs). School officials may be asked by households for guidance on whom to include as a household member or what to include as income on the application for benefits. Although school officials may have to use their own discretion in some instances, the following guidelines are intended to provide assistance in answering questions from households and in making income eligibility determinations.

Determining Household Size

Household (Family)

A group of related or unrelated individuals who are not residents of an institution or boarding house but who are living as one economic unit.

Economic Unit

A group of related or unrelated people who share housing and/or all significant income and expenses of its members. Generally, individuals residing in the same house are an economic unit. However, more than one economic unit may reside together in the same house. Separate economic units in the same house are characterized by prorating expenses and economic independence from one another.

Household of One

A one-person household. This term applies to an emancipated child living alone or as a separate economic unit, a foster child, and an institutionalized child.

Special Situations

Adopted Child - An adopted child for whom a household has accepted legal responsibility is considered to be a member of that household.

Child Attending an Institution - A child who attends but does not reside in an institution is considered a member of the household in which he/she resides.

Child Away at School - A child who is temporarily away at school (e.g., attending boarding school or college) should be counted as a member of the household.

Child Living with One Parent, Relative, or Friends - In cases where no specific welfare agency or court is legally responsible for the child or where the child is living with one parent, other relatives, or friends of the family, the child is considered to be a member of the household with whom he/she resides. Children of divorced or separated parents are generally part of the household that has custody.

Emancipated Child - A child living alone or as a separate economic unit is considered to be a household of one. In some cases, an emancipated child may be living with relatives or friends, none of whom is an adult. If the household is one economic unit, all income and household members **must** be included to determine eligibility. Age is not a factor in defining an emancipated child.

Foreign Exchange Student - A foreign exchange student is considered to be a member of the household in which he/she resides, i.e., the household hosting the student.

Foster Child - A foster child is a child who is living with a household but who remains the **legal responsibility** of the welfare agency or court. Such a child is considered a household of one.

Institutionalized Child - An institutionalized child is a child who resides in a residential-type facility that the State has determined is not a boarding school. Such a child is considered a household of one.

Joint Custody - In cases where joint custody has been awarded and the child physically changes residence, the child is part of the household where he/she resides. Therefore, the child's eligibility could change monthly, weekly, or even daily depending on the rotating time periods at each household. The school food authority must ensure that the child receives the benefits to which the child is entitled during periods of eligibility.

Family Members Living Apart - Family members living apart on a **temporary** basis are considered household members. Family members not living with the household for an **extended** period of time are not considered members of the household for purposes of determining eligibility, but any money made available by them or on their behalf for the household is included as income to the household.

Determining Household Income

Reportable Income

Income is any money received on a recurring basis, including **gross** earned income, unless specifically excluded by legislation. Specifically, gross earned income means all money earned before such deductions as income taxes, employee's social security taxes, insurance premiums, and bonds. Income includes the following:

Earnings from Work

Wages, salaries, tips, commissions, net income from self-owned businesses and farms, strike benefits, unemployment compensation, workers' compensation.

Welfare/Child Support/Alimony

Public assistance payments/welfare payments (Aid to Families with Dependent Children, Aid to Dependent Children, General Assistance, General Relief, etc.); alimony or child support payments; BUT NOT FOOD STAMP BENEFITS.

Pensions/Retirements/Social Security

Pensions, retirement income, social security, supplemental security income, and veteran's payments.

Any Other Income

Net rental income; annuities; net royalties; disability benefits; interest; dividend income; cash withdrawn from savings; income from estates, trusts, and/or investments; regular contributions from persons not living in the household; and any other money that may be available to pay for the child(ren)'s meals.

Current Income

Households **must** report **current** income on a free and reduced price application.

Current income means income received by the household during the month prior to application. If this income is higher or lower than usual and does not fairly or accurately represent the household's actual circumstances, the household may project its annual rate of income based on the guidelines identified below.

Special Situations

Projected Income for Seasonal Workers and Others - Seasonal workers, such as migrants, and others whose income fluctuates usually earn more money in some months than in other months. Consequently, the previous month's income will commonly distort the household's actual circumstances. In these situations, the household may project its annual rate of income and report this amount as its current income. If the prior year's income provides an accurate reflection of the household's current annual rate of income, the prior year may be used as a basis for the projected annual rate of income.

Income for the Self-Employed - Self-employed persons may use last year's income as a basis to project their current year's **net** income, unless their current net income provides a more accurate measure.

Self-employed persons are credited with net income rather than gross income as described here. Net income for self-employment is determined by subtracting business expenses from gross receipts.

- Gross receipts include the total income from goods sold or services rendered by the business.
- Deductible business expenses include the cost of goods purchased, rent, utilities, depreciation charges, wages and salaries paid, and business taxes (**not** personal Federal, State, or local income taxes).
- Non-deductible business expenses include the value of salable merchandise used by the proprietors of retail businesses.

Net income for self-employed farmers is figured by subtracting the farmer's operating expenses from the gross receipts.

- Gross receipts include the value of all products sold; money received from the rental of farm land, buildings, or equipment to others; and incidental receipts from the sale of items such as wood, sand, or gravel.
- Operating expenses include cost of feed, fertilizer, seed, and other farming supplies; cash wages paid to farmhands; depreciation charges; cash rent; interest on farm mortgages; farm building repairs; and farm taxes (**but not** local, State, and Federal income taxes).

Income from Wages and Self-Employment - For a household with income from wages and self-employment, each amount **must** be listed separately. When there is a business loss, income from wages may **not** be reduced by the amount of the business loss. If income from self-employment is negative, it should be listed as zero income.

Income Exclusions

Income **not** to be reported or counted as income in the determination of a household's eligibility for free and reduced price benefits includes:

- any cash income or value of benefits a household receives from any Federal program that excludes such income by **legislative prohibition**, such as the value of food stamps provided under the Food Stamp Program (see page 35 for a complete list)

- **student financial assistance** provided for the costs of attendance at an educational institution, such as grants and scholarships, awarded to meet educational expenses and not available to pay for meals
- **loans**, such as bank loans, since these funds are only temporarily available and must be repaid
- the value of **in-kind compensation**, such as military on-base housing or any other noncash benefit
- **occasional earnings** received on an irregular basis, e.g., not recurring, such as payment for occasional babysitting or mowing lawns.

Special Situations

Military Benefits - Military benefits received in **cash**, such as housing allowances for military households living off base and food or clothing allowances, **must** be considered as income. An in-kind benefit, such as on-base housing, is not counted.

Foster Child's Income - Only the child's income is considered for eligibility purposes. The child's income includes:

- funds provided by the welfare agency that are specifically identified by category for the personal use of the child, such as for clothing, school fees, and allowances. Welfare funds paid to the foster parents identified by category for shelter and care, and those identified as special needs funds, such as those for medical and therapeutic needs, are not considered as income. Where welfare funds cannot be identified by category, no portion of the provided funds is considered as income; and
- other funds received by the child, including any income the child earns for full-time or regular part-time employment, and money provided by the child's family for personal use.

Institutionalized Child's Income - Payments from any source directly received by the institution on a child's behalf are not considered as income to the child. Only the income a child earns from full-time or regular part-time employment and/or personally receives while in residence at the institution is considered as income.

Child's Income - The earnings of a child who is a full-time or regular part-time employee **must** be listed on the application as income. However, occasional earnings, such as income from occasional babysitting or mowing lawns, should not be listed on the application as income.

Alimony and Child Support - Any money received by a household in the form of alimony or child support is considered as income to the receiving household. However, any money paid out for alimony or child support may not be deducted from that household's reported gross income.

Lump Sum Payments - Lump sum payments or large cash settlements are not counted as income since they are not received on a regular basis. These funds may be provided as compensation for a loss that must be replaced, such as payment from an insurance company for fire damage to a house. When lump sum payments are put into a savings account and the household regularly draws from that account for living expenses, the amount withdrawn is counted as income.

Garnisheed Wages and Bankruptcy - Income is the gross income received by a household before deductions. In the case of garnisheed wages and income ordered to be used in a specified manner, the total gross income **must** be considered regardless of whatever portions are garnisheed or used to pay creditors.

Questions and Answers

Income

1. Q. Why is the off-base housing allowance provided to service personnel counted as income when the value of on-base housing is not?
 - A. Income is defined as all cash received on a recurring basis. In-kind benefits, by definition, are not cash payments, and, therefore, are not considered as income for the purpose of determining free and reduced price eligibility. School officials are not in a position to determine the value of in-kind benefits, such as housing for clergy, cars for salespersons, employee medical or dental benefits, etc. The income exclusion for in-kind benefits is uniform throughout the school meal programs. To treat in-kind benefits provided to military households differently from in-kind benefits provided to the general population would create an inequity. The fact that the value of military on-base housing is more readily identifiable than other sources of in-kind benefits would not lessen the inequity.
2. Q. What payments from Federal programs are excluded from consideration as income by legislative prohibition?
 - A. (1) The value of assistance to children and their families under the National School Lunch Act, the Child Nutrition Act of 1966, and the Food Stamp Act of 1977; (2) reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; (3) any payment to volunteers under Title I (VISTA and others) and Title II (RSVP, foster grandparents, and others) of the Domestic Volunteer Service Act of 1973 to the extent excluded by that Act; (4) payments to volunteers under section 8(b)(1)(B) of the Small Business Act (SCORE and ACE); (5) income derived from certain submarginal land of the U.S. that is held in trust for certain Indian tribes; (6) payments received under the Job Training Partnership Act; (7) income derived from the disposition of funds to the Grand River Band of Ottawa Indians; (8) payments received under the Alaska Native Claims Settlement Act; (9) payments by the Indian Claims Commission to the Confederated Tribes and Bands of the Yakima Indian Nation or the Apache Tribe of the Mescalero Reservation; (10) payments to the Passamaquoddy Tribe and the Penobscot Nation or any of their members received pursuant to the Maine Indian Claims Settlement Act of 1980; (11) student financial assistance received under Title IV of the Higher Education Act of 1965, including the Pell Grant, Supplemental Education Opportunity Grant, State Student Incentive Grants, National Direct Student Loan, PLUS, College Work Study, and Byrd Honor Scholarship Programs, to the extent excluded by that Act; (12) Agent Orange Settlement Payments to veterans, that have been excluded under Public Law 101-201; and (13) payments received under the Civil Liberties Act of 1988.

Since programs are periodically added to the above list, school food authorities should contact the State agency when there is question of whether specific payments are to be included as income.

3. Q. What income is reported for students who reside in a residential child care institution (RCCI)?
- A. Payments from any source, directly received by the institution on the child's behalf, are not considered as income to the child. However, the money a child personally receives or earns from any full-time or regular part-time source is considered income.
4. Q. Is an application with household size and income information required for students who reside in an RCCI and attend public school during the day?
- A. Yes. The day school **must** have an application on file for each child for whom a free or reduced price meal is served and claimed for reimbursement, regardless of the child's place of residence.
- Institutionalized children are not to be categorically certified as eligible for free or reduced price benefits. A record of each child's income, even if "0," **must** be identified on the application for free and reduced price meals.
5. Q. If the household indicates \$0 for income, is that sufficient?
- A. "Zero income" is sufficient for a temporary approval. School officials should confirm the continued eligibility of a zero income application every 45 calendar days. However, some circumstances may warrant approval of a zero income application for the school year, such as for the foster or institutionalized child.
6. Q. If one household owns a housing unit and rents living space to another household, does the household receiving the rental fee have to report this amount as income?
- A. Yes. Income includes money derived from rent of room(s), apartment(s), etc. If a household receives rental income from another household, it **must** be included as income. The treatment of rental income would be similar to the treatment of self-employment income.

Household Size

1. Q. When foster parents apply for benefits for their own children, do they include their foster children as household members, and do foster parents include the payments provided by the welfare agency for care of the foster children as income to the household?
- A. No. Since each foster child, including a preschool foster child, is a household of one, foster children are not included in the foster parents' household. Payments received by the household for care of the foster child are intended

to be used for the foster child and, therefore, are not included as part of the foster parents' income.

2. Q. What if a child lives with his/her parents and is required to pay for room and board? Is the child a separate household?
 - A. The child is considered to be a separate household only in those cases where the child is living alone or as a separate economic unit. Separate economic units are usually characterized by the prorating of most household expenses. Most students paying room and board are usually paying a token amount and are not economically independent of their parents and are therefore not considered to be emancipated.
3. Q. If two separate households rent living space (e.g., an apartment or house), and one household gives its portion of the rent to the other household which, in turn, transmits the full rent to the landlord, does the rental income given to the transmitting household count as rental income?
 - A. No. The transmitting household has not received income; rather it is performing a simple financial transaction that does not provide it with additional income.
4. Q. What do I do if a child is eligible for free meals, but the household wants to pay the reduced price?
 - A. The school should respect the family's wishes and allow the child to pay the reduced price charge. The application should correctly reflect that the child is eligible for free meals. However, the school should note on the application that the family has elected to pay the reduced price charge. The meals served to such a child **must** be claimed for reduced price reimbursement since the school received the reduced price payment from the household.
5. Q. How do I determine the eligibility of a household that has some children who are included under an Aid to Families with Dependent Children (AFDC) assistance unit and other children who are not under the AFDC assistance unit?
 - A. Children in an AFDC assistance unit are categorically eligible for free benefits. The application for such children need only contain the child's name, a current AFDC number, and the signature of an adult household member. The application for children in the same household who do not fall under an AFDC assistance unit **must** include the information required of all other households, i.e., name of all household members; social security number of the adult household member who signs the application or an indication that the household member does not have a social security number; the amount of income each household member receives and where it comes from (including the amount of the AFDC or other welfare grant); and the signature of an adult household member.

Part 6

Categorical Eligibility

Application Requirement

A child from a household currently certified to receive food stamps or from an Aid to Families with Dependent Children (AFDC) assistance unit is categorically eligible for free benefits.

School food authorities (SFA) **must** provide a household applying for free and reduced price meals for their child the opportunity to indicate on the application that the child is categorically eligible for free benefits.

When a household submits a complete application that contains: (1) the name of the child, (2) a current food stamp or AFDC case number, and (3) an adult signature, the determining official **must** approve the child for free meals or free milk, as applicable. No further application information is required.

Direct Certification

In place of determining eligibility based on information submitted by the household on the application, the SFA may determine children as eligible for free meals or free milk based on information obtained directly from the State or local agency responsible for the administration of the Food Stamp Program or AFDC Program. That agency may provide information that a child is a member of a household currently certified to receive food stamps or an assistance unit currently certified to receive AFDC benefits.

State agencies (SAs) and SFAs interested in implementing the direct certification provision should contact the State or local office that administers the Food Stamp Program or AFDC Program to enlist its cooperation, identify the information that is available, and establish a system for obtaining the information to satisfy the documentation requirements for direct certification.

SFAs **must** have SA approval to implement the direct certification provision, and SAs must ensure that SFAs' plans include the following:

- Documentation for those children certified as eligible by direct certification, which includes names of children from households currently certified to receive food stamps or AFDC; specific identifying information, such as the children's birth dates, addresses, parents' names, social security numbers or other appropriate personal identifiers that will match the names of children identified by the food stamp/AFDC office with the names of the children attending schools in the SFA; the signature of the responsible official certifying that the children are members of households currently certified to receive food stamps or AFDC; and the date. Documentation may be a computerized list or a letter provided by the food stamp or AFDC office to the household to take to the school. The letter **must** contain the same information as listed above and be an official document.
- The above documentation must be retrievable by school.
- A notice to households advising them that their children are eligible for free meals or free milk, as appropriate, and that no further application is required; that the household should notify the school if they do not want their children to receive free

benefits; and that the household **must** notify the school when they are no longer certified to receive food stamps or AFDC.

- Letters or notices and applications must be distributed to households of all children at the beginning of the school year to prevent overt identification and to ensure that no child is inadvertently excluded from participation.
- **School food authorities that implement direct certification are not required to send the letter or notice and application to those households eligible under direct certification IF these materials are distributed through the mail, individual student packets, or other method that prevents the overt identification of children eligible for direct certification.** Under this option, households eligible under direct certification will receive a letter notifying them that their children are eligible for free benefits, and other households will receive a parent letter or notice with an application form.

The letter or notice should say that households currently certified to receive food stamps or AFDC for their children will be notified of their eligibility and that their children will be provided free benefits unless the household notifies the school that they choose to decline benefits. The letter should also say that food stamp and AFDC households should not submit an application unless they are not notified of their eligibility by a specified date determined by the school.

SAs and SFAs should be aware that while compliance with the above requirements is sufficient for school year 1991-1992, procedures for school year 1992-1993 may change as a result of the regulation comment process.

Part 7

Verification of Eligibility for School Meals

Definition

Verification is confirmation of eligibility for free and reduced price meals under the National School Lunch Program or School Breakfast Program.

Verification **must** include either confirmation of income eligibility or confirmation that the child is included in a currently certified food stamp household or Aid to Families with Dependent Children (AFDC) assistance unit. At State or local discretion, verification may also include confirmation of (1) names of all household members; (2) social security numbers of all adult household members or an indication that a household member does not possess one; and (3) signature of an adult member of the family.

Exemptions from Verification

Verification efforts are not required:

- for children who have been certified under direct certification procedures
- in residential child care institutions (RCCIs) except for applications for any day students attending the institution
- in schools in which the Food and Nutrition Service (FNS) has approved special cash assistance claims based on economic statistics regarding per capita income, e.g., Puerto Rico and the Virgin Islands
- in schools in which all students are served with no separate charge for food service and no special cash assistance is claimed, i.e., nonpricing programs claiming only the paid rate of reimbursement
- in schools participating in the Special Milk Program (SMP)

NOTE: Schools may choose not to count applications for students in split-session kindergarten programs participating in the SMP in meal program schools when determining the verification sample size.

- of school food authorities (SFAs) in which all schools participate in the Special Assistance Certification and Reimbursement Alternatives except in those years in which applications are taken for all students in attendance.

Verification Requirements

Annually, each SFA **must** select and verify a sample of applications approved for benefits, unless the State agency (SA) assumes responsibility for verification or the SFA is otherwise exempt from the verification requirement under the exemptions listed in the previous section.

SFAs **must** use either a "random" sampling method or "focused" sampling method to select applications to be verified. However, the SA may require all its SFAs to do either random or focused sampling. Check with your SA for this requirement.

EXCEPTION: An SFA may choose to verify all (100 percent) of the applications received.

The required sample size is based on:

- (1) the total number of approved applications on file on October 31, and
- (2) whether the SFA employs random or focused sampling for selecting the applications to be verified.

NOTE: An application is counted as **one** application regardless of whether it is a multi-child application or an application for one child. The sample size depends on the number of paper applications, not the number of children represented.

RANDOM SAMPLING

Under **random sampling**, the SFA **must** verify a minimum of the lesser of 3 percent or 3,000 of the total number of approved applications. A random selection procedure must be used.

FOCUSED SAMPLING

Under **focused sampling**, the SFA **must** verify a minimum of:

- (1) the lesser of 1 percent or 1,000 of the **total** number of approved applications (both income and categorical). The sample is selected from **income** applications with total household income within \$100 monthly or \$1,200 annually of the income eligibility guidelines (IEGs) for free and reduced price meals;
PLUS
- (2) the lesser of .5 percent (one half of 1 percent) or 500 of the total number of applications that were approved based on categorical eligibility, selected from applications with a food stamp or AFDC number.

EXAMPLE:

300 income applications
200 categorical applications
150 direct certifications
500 total applications in the application pool

Remember, direct certifications are not included in the application pool.

(1) 500 total applications	x .01	= 5
(2) 200 categorical applications	x .005	= $\frac{1}{6}$
Total sample		= 6

- (1) A sample of 5 applications must be selected from the 300 income applications, **PLUS**
- (2) 1 from the 200 categorical applications.

Direct certifications do not need to be verified.

The SFA **must** complete verification of the minimum required sample size by December 15. Completion of verification is discussed further on page 54.

Verification **must** take place **after** the application has been approved even when the SFA requires households to submit documentation of eligibility with the application.

Implementation

Although the required sample size under both random and focused sampling is based on the number of approved applications on file on October 31, SFAs may begin verification before this date. SFAs may project the number of approved applications that they anticipate will be on file on October 31, based on their experience. However, the SFA **must** compare this estimate with the actual number of applications on file on October 31 and increase the sample size if the total number of approved applications on file exceeds the estimate.

SFAs may verify more than the required minimum sample (up to 100 percent of all approved applications) as long as the selection of applications does not involve discrimination against anyone on the basis of race, color, national origin, age, sex, or handicap. **The SFA has an obligation to verify all questionable applications.** However, any verification that is done for cause is **in addition** to the sample required for either random or focused sampling.

The SFA **must** complete the verification process for all households that have been notified of their selection for verification and have been asked to submit verification information.

EXAMPLE: The SFA cannot select 5 percent of the applications on file and notify those households of their selection with the hopes of getting 3 percent to respond to fulfill the verification requirement.

The SFA **must** follow up with any household notified of their selection.

SAs that are assuming the verification responsibility for any or all of their SFAs may use a method other than random or focused selection.

When calculating sample sizes, round all fractions or decimals upward to the nearest whole number.

Random Sampling

Under the random sampling method, each application **must** have an equal chance of being selected, including all categorical and income applications.

Required Random Sample Size and Selection

The minimum required sample size is **3 percent or 3,000**, whichever is less, of **all approved applications on file** on October 31. A random sample should include both income eligible and categorically eligible applications. No attempt should be made to select only categorical applications.

Calculation and selection of the minimum required number of applications in the SFA to verify under random sampling:

Step 1. Count the total number of approved applications on file on October 31. Multiply the total by .03. **Round decimals upward.** At least one application **must** be verified.

Example: 340 applications $\times$.03 = 10.2 applications. Round upward to 11 applications.

Step 2. Compare the result in Step 1 to 3,000. The sample size is the lesser number.

Example: In this example, 11 applications **must** be verified to meet the required sample size.

Step 3. Randomly select the required number of applications.

(1) A selection interval may be used. This can be accomplished by dividing the total number of approved applications on file in the SFA by the sample size to determine the selection interval.

Example: If there are 340 applications on file and 11 are required to be verified, divide 340 by 11 = 30.9. In this case, the selection interval is 31. Number all the applications. Randomly select an application from the total approved, and then choose every 31st application until 11 applications have been selected.

(2) Another random method of selection would be to put all the applications in a container and draw the required number of applications.

Under random sampling, at least one application must be verified.

Focused Sampling

In focused sampling, a minimum required percentage or number of applications approved based on **income eligibility must** be selected for verification AND a minimum required percentage or number of applications approved based on **categorical eligibility must** be selected for verification.

Required Focused Sample Size and Selection

For applications approved based on income information:

one (1) percent of the total number of all approved applications in the SFA or 1,000 applications, whichever is less (the calculation includes applications approved based on income eligibility **and** those approved based on categorical eligibility);

select the 1 percent from applications that were approved based on household size and income information and that indicate total household income within \$100 (\$1200 yearly) of the IEGs; **PLUS**

For applications approved based on categorical eligibility:

one-half (.5) percent of the total number of applications in the SFA approved based on categorical eligibility or 500 applications, whichever is less;

select the .5 percent from the applications approved based on categorical eligibility.

The calculation of the minimum required number of applications with income information and the minimum number of applications with food stamp/AFDC case numbers that **must** be verified in the SFA under focused sampling is as follows:

Step 1. To determine the number of applications with income information that **must** be verified, count the total number of approved applications on file on October 31. Multiply this number by .01, **round any decimals up**.

Example: 50 applications with income information plus 250 applications with food stamp/AFDC case numbers = 300 total applications $\times .01 = 3$ applications.

Step 2. Compare the result in Step 1 to 1,000. The required number of applications with income information to verify is the lesser number. In this case, 3 applications approved based on income eligibility **must** be verified.

Step 3. To determine the number of applications with food stamp/AFDC case numbers that **must** be verified, count the number that were approved based on categorical eligibility. Multiply this number by .005, **round any decimals up**.

Example: 250 applications with food stamp/AFDC case numbers $\times .005 = 1.25$, round up to 2 applications.

Step 4. Compare the result in Step 3 to 500. The required number of applications with a food stamp/AFDC case number to verify is the lesser number. In this example, 2 applications approved based on categorical eligibility **must** be verified.

Step 5. Separate the applications into two groups: (1) the categorically eligible applicants who provided a food stamp/AFDC case number; and (2) the applicants who were approved on the basis of income information.

Step 6. From the group that reported income information, select the required sample size (as determined in Step 2) from applications with monthly incomes within \$100 or annual income within \$1,200 of the income eligibility limits.

If there are more applications with monthly income within these limits than needed to meet the minimum sample size, select the sample using any method that is equitable and ensures that the same households will not be selected year after year.

If there are not enough applications within the limits to meet the required minimum sample size, complete the sample using those applications with monthly income closest to the eligibility levels.

If the total number of applications containing income information is smaller than the required minimum sample size, verify all applications approved on the basis of income information.

Step 7. From the categorically eligible group, select the sample using any method that is equitable and ensures that the same household is not selected each year.

For a focused sample, a minimum of one categorically eligible application and one income application MUST be verified.

Verification at the Time of Application

SFAs may require households to provide information to verify eligibility for free and reduced price benefits at the time of application. Schools electing this option are cautioned that they **must not** allow verification efforts to delay the approval of applications; nor can schools disapprove applications based on information submitted for verification. If an application is complete and indicates that the child is eligible for free or reduced price benefits, the application **must** be approved. Only after the determination of eligibility has been made can the school begin the verification process. Schools electing this option **must** observe the following three steps:

1. **Notice to Household** - Include a statement in the notice to the household that accompanies the application that, although the initial eligibility determination will be based solely on the application, households are required to submit verification of eligibility information with the application.
2. **Determination of Eligibility** - As applications are returned, review each application to determine household eligibility based on the submission of a complete application. Households **must** be informed of this initial determination of eligibility. **Lack of verification information or submission of verification information that does not support the content of the application MUST NOT affect the initial determination of eligibility.**
3. **Review of Verification Documentation and Notice of Adverse Action** - Any household that fails to submit requested verification information by the date specified by the SFA or that submits verification information that does not support the initial determination of eligibility **must** be sent a notice of adverse action. This notice **must** include all the required items in the standard termination or reduction notice, including giving the household 10 calendar days' advance notice of the termination or reduction of their benefits.

NOTE: Step 3 may be combined with Step 2 so that the notice of initial approval and notice of adverse action are combined in a single letter.

Once households have been requested to provide income documentation, the SFA **must** complete the verification process for these households. If all households are requested to provide documentation, SFAs are responsible for completing the verification process for all households. Verification efforts should be completed within a reasonable time.

Household Notification of Selection

When a household is selected for verification and is required by the SFA to submit documents or other forms of evidence to document eligibility, the household **must** be sent a notice or letter informing them of their selection and of the types of information acceptable to the SFA. The letter or notice **must** include the following:

- that the household has been selected for verification;
- that the household **must** provide the social security number for each adult household member or indicate that a household member does not possess one;
- a Privacy Act statement (see page 10 for the Privacy Act requirements);
- the types of acceptable information that may be provided to confirm current income, including pay stubs, award letters from welfare departments, social security, and support payment decrees from courts;
- that the household **must** submit documentation of income received during the most recent month that is available. If this amount is unusual, the household should contact the SFA for assistance in determining acceptable documentation;
- that the household may provide proof that the child is a member of a currently certified food stamp household or AFDC assistance unit instead of providing income information and social security numbers of adult household members;
- that information **must** be provided by a date as specified by the SFA and that failure to do so will result in termination of benefits; and
- the name and telephone number of a school official who can answer questions and provide assistance.

When the SFA uses agency records (see page 50, Agency Records) to verify eligibility, the letter or notice of selection is **NOT** required, since the household will not have to provide documents and household cooperation will not be necessary.

Verification Methods

Written Evidence - Written evidence is the primary source of eligibility confirmation for all households including food stamp and AFDC households.

Written evidence is most often pay stubs from employers or award letters from welfare departments or other government agencies submitted by the household to the verifying officials as confirmation of eligibility.

Acceptable written evidence contains the name of the household member, amount of income received, frequency received, and the date the income was received. For example, a pay stub with no dates would be insufficient.

Collateral Contacts - A collateral contact is a person outside of the household who is knowledgeable about the household's circumstances and can give confirmation of a household's income or food stamp or AFDC status.

Collateral contacts include employers, social service agencies, migrant workers' agencies, and religious or civic organizations.

The verifying official should request a collateral contact **only** in cases when the household has not been able to provide adequate written evidence.

The verifying official **must** give the household the opportunity to designate the collateral contact. However, the verifying official may select a collateral contact if the household fails to designate one or designates one who is unacceptable to the verifying official. In either case, no contact may be made without first notifying the household and obtaining their permission.

All collateral contacts are to be documented, dated, and initialed.

Agency Records - A household's eligibility may be confirmed through the use of information maintained by other government agencies to which the SA, SFA, or school has legal access. Although USDA regulations do not require that households be notified of selection when verification is made through agency records, such agencies may have their own notification requirements.

One source of agency records is the wage and benefit information maintained by the State employment agency if that information is available to the verifying official. Such records are State records, and the release of information maintained by State employment offices is governed by State law.

The SFA may also submit the names and case numbers of categorically eligible households to the local food stamp or AFDC office. Food stamp or AFDC offices are permitted to release eligibility information from their files to other Federal assistance programs and federally-assisted State programs.

Verification of Income Eligibility

When using agency records, the SFA should request information for the most recent month available. Households that dispute the validity of income information acquired through systems of records **must** be given the opportunity to send more recent income information during the 10-calendar day period of advance notice of adverse action (see page 55).

Request for Written Evidence

The notification of selection for verification **must** include a request for the household to submit written evidence of **current** income for all household members and the social security number of each adult household member 21 years of age or older.

One of the following three situations will result:

1. The household submits the required social security numbers and written evidence of current income that confirms the eligibility determination previously made. Verification is considered complete.
2. The household submits the required social security numbers, and written evidence of current income that shows the household's eligibility should be for either a higher or lower level of benefits than the eligibility determination previously made. Verification is considered complete when the letter of adverse action is sent or the household is notified that its benefits will be increased.
3. The household does not respond to the request for income information and/or social security numbers, or the household submits insufficient or obsolete written evidence. When either situation occurs, the SFA can do one of two things:
 - a. School officials may contact the household to request the missing written evidence and inform the household that failure to comply or to designate a collateral contact will result in termination. If the household subsequently cooperates, then either #1 or #2 above would apply. **OR**
 - b. School officials may terminate benefits to the household for failure to respond to the request for written evidence or failure to cooperate with the verification process. Verification is considered complete when the advance notice of adverse action is sent to the household.

Verification Using Collateral Contacts

When the household has been unable to provide adequate written evidence, the household may identify a collateral contact from which the SFA could obtain the requested information, either orally or in writing.

A collateral contact would not be expected to provide social security numbers of the adult household members. These still **must** be provided by the household.

The SFA will examine any written information provided by the collateral contact or evaluate any oral information. Based on this, either situation #1 or #2 discussed on page 51 under request for written evidence will result.

If the collateral contact is unwilling or unable to provide the requested information, then benefits to the household should be terminated for failure to respond as discussed in #3 on page 51.

Verification Using Agency Records

A household's eligibility may be confirmed through the use of information maintained by other government agencies to which the SFA has legal access (see page 50 for more details).

The SFA will examine the information received from the agency. Based on this review, either situation #1 or #2 listed on page 51 would apply.

EXCEPTION: Households that dispute the validity of the information **must** be given the opportunity to provide more recent income information during the 10-day advance notice period of adverse action.

Advance Notice of Adverse Action

All households with children for whom benefits are to be reduced or terminated **must** be given 10 calendar days' **written** advance notice of the change. See page 55 of this manual for the specific information the notice must contain. The first day of the 10-calendar-day advance notice period is the day the notice is sent.

Verification of Categorical Eligibility

Request for Written Evidence

A school can place the responsibility for verifying receipt of food stamps or AFDC benefits on the household. The notification of selection **must** include a request for the household to submit written evidence of current certification to receive food stamp or AFDC benefits. Every time a household is approved for food stamps or AFDC, they are furnished with a letter of certification or notice of eligibility. The verifying official should examine this notice of eligibility to ensure that the child for whom application was made is part of a household **currently** participating in the Food Stamp Program or AFDC Program. If a food stamp household has misplaced the notice of eligibility or notice of certification, a current "Authorization to Participate" (ATP) card is adequate proof of current certification. ATP cards are usually issued once a month and are immediately redeemable by the household at a bank or elsewhere for the actual food stamps.

A food stamp or AFDC document that does not specify the certification period is **not adequate** for documentation. For example, the food stamp identification card is not acceptable because it usually does not have an expiration date.

A household that does not have satisfactory food stamp or AFDC documentation may request a signed, dated letter from the food stamp or AFDC office certifying that the child is part of a household currently receiving benefits.

Verification is complete when the household submits adequate documentation of current participation in either the Food Stamp Program or AFDC Program or a letter of adverse action is sent.

Agency Records

Verification of eligibility for households that provided a food stamp or AFDC case number on the application may be accomplished by submitting a list of names and food stamp or AFDC case numbers to the local food stamp or welfare office for confirmation of receipt of benefits from agency records.

To facilitate the verification process, contact should be made with the local food stamp or welfare office prior to submitting such lists to discuss the methods by which verification requests should be handled. SFAs that verify eligibility through the local food stamp or AFDC office should do so as early as possible. This will ensure that there is sufficient time for that office to respond to the request **and** sufficient time to acquire other verification if households are identified as **not** currently receiving food stamps or AFDC or if the food stamp or AFDC office does not respond in a timely manner. If circumstances beyond the control of the SFA delay verification, the SFA may request that the SA allow an extension of the verification deadline. Any extension of the deadline **must** be approved by the FNS regional office.

Verification is **complete** when the local food stamp or AFDC office certifies that the household is currently receiving food stamps or AFDC or the school sends a notice of adverse action.

Advance Notice of Adverse Action

When it is determined that the child is not part of a household currently receiving food stamps or AFDC, the household **must** be given 10 calendar days' **written** advance notice of termination and **must** be informed that to continue school meal benefits they **must**:

- submit an application providing income information,
- submit names and social security numbers for each adult household member, and
- submit written evidence that confirms current household income.

The first day of the 10-calendar-day advance notice period is the day the notice is sent.

Completion of Verification

Verification of the required sample size **must** be completed by December 15 of each year. If the SFA believes that it will not meet this deadline, a written request for an extension **must** be submitted to the SA prior to December 15. This request **must** then be submitted to FNS for approval.

Verification of an individual application is complete when a household's eligibility for the level of benefits for which it was approved is:

- confirmed or
- changed to a higher level of benefit or
- a letter of adverse action has been sent informing the household that benefits will be reduced or
- a letter of adverse action has been sent informing the household that benefits will be terminated.

Verification Results

Verification of a household's income eligibility for free or reduced price meals **must** result in one of the following:

No change in benefit level - The household's current documentation supports the level of benefits for which the household has been approved.

Reduction in benefit level - The household's current documentation identifies income too high for the level of benefits for which the child has been approved. Therefore, the household's eligibility **must** be changed from free to reduced price or from reduced price to paid.

Increase in benefit level - The household's current documentation qualifies the household for free meals rather than reduced price meals. Therefore, the household's eligibility **must** be changed from reduced price to free meals.

Termination of benefits - Free and reduced price benefits **must** be terminated for households that do not respond to verification efforts or whose current documentation does not support eligibility for either free or reduced price meals.

If verification results in a change in benefit level or termination, the change **must** be extended to **all** children in the household who were determined eligible by information that no longer supports the benefit level.

If verification results in higher benefits (e.g., a child who is moved from the reduced price to free category), this change is effective immediately. Parents should be notified through whatever channels the SFA uses to notify the household of approval for benefits.

Notification of Adverse Action

- == All households for whom benefits are to be reduced or terminated **must** be given 10 calendar days' written advance notice of the change.

The first day of the advance notice period is the day the notice is sent.

The notice **must** advise the household of the following:

- the change in benefits,
- the reasons for the change,
- that an appeal **must** be filed within the 10-day advance notice period to ensure continued benefits while awaiting a hearing and decision,
- the instructions on how to appeal,
- that the household may reapply for benefits at any time during the school year, and
- that food stamp or AFDC households may submit an application containing household names and income information and provide written evidence of current household income and the social security numbers of adult household members.

Benefits During Appeal of Verification Results

- When a household appeals a reduction or termination of benefits within the 10-calendar-day advance notice period, the SFA **must** continue to provide the benefits for which the child was originally approved until a final determination is made.

When a household does not appeal a reduction or termination of benefits during the 10-calendar-day advance notice period, the actual reduction or termination of benefits **must** take place immediately after the 10-day advance notice period.

Hearing Procedure

The hearing procedure in the SFA's free and reduced price policy statement **must** be followed.

The hearing official **must** be an individual who was not connected with the approval or verification process.

The household may request a school conference prior to a formal hearing. Any such conference **must not** prejudice a later appeal.

Households that Reapply for Program Benefits

Households affected by a reduction or termination of benefits may reapply for benefits at any time during the school year. However, if benefits to a household have been terminated and the household reapplies in the same school year, it should be required to submit income documentation or proof of participation in the Food Stamp Program or AFDC Program (such as a case number) at the time of reapplication. The SFA may verify the households' eligibility **prior** to approval. These are not considered new applications.

Recordkeeping

Documentation **must** be kept by the SFA to demonstrate compliance with the verification requirements when SFAs are reviewed by State or Federal reviewers. Documentation would also be needed in case of an applicant's appeal.

SFAs **must** maintain a description of their verification efforts. The description **must** include:

- a summary of the verification efforts including the selection process;
- the total number of applications on file on October 31; and
- the percentage or number of applications that are/will be verified by December 15.

In addition, verified applications **must** be readily retrievable by school. For each application the SFA must keep records of the source of information used to verify the application such as the food stamp office, wage stubs, or collateral contacts. The following information **must** be documented:

- copies of all relevant correspondence between the households selected for verification and the SFA or school;
- if the application is verified by documents submitted by the household, the SFA **must** retain either: (1) all documents submitted by the household; (2) reproductions of those documents; or (3) in cases where the actual documents or photocopies cannot be kept, the verifying official **must** make a written record of the documents submitted by the household including the type of document, e.g., wage stubs or letter from an employer, income shown on the document, time period of the income, and the date of the document; and
- any changes in eligibility as a result of verification procedures, the reasons for the changes, and the date the change was made.

SFAs should also record:

- any additional information necessary to show the efforts made by the SFA to meet the verification requirements, and
- the title and signature of the verifying official.

**Questions and
Answers
About
Verification**

1. Q. What kind of written evidence is required for verification of a foster child's application?
 - A. School officials should contact the household in which the foster child resides and ask for the name, agency, and phone number of the social worker assigned to that child. A phone call to the social worker confirming the child's status as a foster child and the amount of money designated by the agency for the child's personal use is sufficient verification. The school official should, however, document the phone conversation with the social worker (identifying the social worker, agency, phone number, status of the child, and the child's personal-use income). Another approach would be to ask the foster family for a copy of a written communication between the foster family and the placement agency in which the status of the child and the financial arrangement is stated. If the family is unable to provide such information, a phone call to the placement agency to confirm the child's status and income should be made prior to denying the child free meals.
2. Q. What if an application is selected for verification, but the household transfers out of the school district before the information can be verified?
 - A. Verification is considered complete when a household's eligibility for the level of benefits for which it was approved is either confirmed or the household is sent a letter of adverse action. If a household selected for verification transfers out of the district before the information can be verified, verification cannot be completed. To meet the minimum verification requirements, a new application **must** be selected.
3. Q. What if I use other agency records and the agency does not provide a response before December 15?
 - A. Any extensions to the December 15 deadline **must** be approved in writing by the Food and Nutrition Service. If the school food authority (SFA) contacted another agency well in advance of the December 15 deadline, it has demonstrated good faith and would likely be given an extension.
4. Q. How is overtime income counted for the purposes of verification?
 - A. The school official should work with the household to determine whether the overtime for the month being verified is representative of overtime received in other months. If the overtime is a one-time or sporadic source of income, income should be calculated based on the regular monthly income without overtime.
5. Q. Am I verifying eligibility at the time of application or current eligibility?

- A. Verification is intended to establish current eligibility. When written evidence or collateral contacts are the primary sources of information, the SFA **must** require submission of income information for the **most recent full month that is available**. When using a system of records, the SFA may choose to verify a recent month and the entire sample may be verified for the same month. Households that dispute the validity of income information acquired through systems of records **must** be given the opportunity to produce more recent income information.
- 6. Q. If a household is paid weekly and submits a pay stub for a week, must I go back and ask for pay stubs for a whole month?
 - A. No. If the weekly pay stub is representative of the what the household normally receives each week, one pay stub is sufficient.
 - 7. Q. If an SFA chooses to do 3-percent verification, **must** it select 3 percent of the applications from each school in the SFA or is the sample selected from the SFA as a whole?
 - A. SFAs are required to select and verify a sample of their approved free and reduced price applications. The SFA as a whole **must** meet the 3-percent sample. This does not mean that each school has to do 3 percent. The sample may be selected from one or more schools or from the SFA as a whole, **provided that** the verification efforts are applied without regard to race, sex, color, national origin, age, or handicap. Also, any selection method **must** ensure that all applications are subject to being sampled; e.g., if the SFA has decided to select the 3-percent verification sample from only one school in the SFA, all applications in that one school **must** have an equal chance of being selected. Also, if verification is done in only one school, the same school should not be selected each year.
 - 8. Q. If my sample size is 4.2 applications, do I verify 4 or 5?
 - A. Partial numbers **must** be rounded up to the next whole number. You must verify 5 applications.
 - 9. Q. If a larger sample is selected, such as 5 percent, does the 5 percent have to be verified by December 15?
 - A. The SFA only has to meet the minimum sample requirements, i.e., 3 percent under random sampling, by December 15. The remaining 2 percent, while it has to be completed, may be completed after December 15 but as soon as possible.

10. Q. Do we have to maintain the actual documentation from verification or just the results of verification?

A. SFAs are required to maintain three things: (1) a description of their verification efforts, (2) documentation of the verification, and (3) the results of the verification. The description **must** summarize the selection process and techniques, the total number of applications on file on October 31, and the percentage or number of applications verified.

The applications selected must be readily retrievable by school, and the SFA must document correspondence between the selected households and the SFA or school. If the application is verified by documents submitted by the household, the SFA must either retain the documents or a photocopy, or if that is not possible, the relevant information can be copied from the document. If the SFA chooses to copy the information, enough of a record must be retained from the document to verify eligibility, including the type of document, e.g., ATP card or pay stub, time period of eligibility or income, income shown on the document, and the date of the document. If other sources are used to document eligibility, such as the food stamp office or collateral contacts, records of those sources and the information received must be documented as well.

The SFA must also keep a record of any change in eligibility as a result of verification procedures, the reason for the change, and the date the change was made.

11. Q. When an advance notice of adverse action has been sent to a household, can I claim reimbursement for that child during the period covered by the advance notice?

A. Yes. The household must be given 10 calendar days' advance notice that a change is being made in the child's eligibility status. During that time, the child must continue to receive free or reduced price meal benefits and the SFA may continue to claim reimbursement for free or reduced price meals served to the child during this period.

Part 8

Glossary

AFDC Assistance Unit refers to any individual or group of individuals currently certified to receive assistance under the Aid to Families with Dependent Children (AFDC) Program in a State where the standard of eligibility for AFDC benefits does not exceed the income eligibility guidelines for free meal or milk benefits.

Categorical Eligibility means that any child who is a member of a food stamp household or an AFDC assistance unit is automatically eligible for free meals or free milk. Such households **must** provide current food stamp or AFDC case numbers on the application for free and reduced price meals or free milk to establish their categorical eligibility, unless the school food authority has implemented direct certification.

CFR stands for the Code of Federal Regulations. Child nutrition regulations are contained in Title 7 of the Code of Federal Regulations.

Commodity School Program is the program under which participating schools operate a nonprofit lunch program and receive donated food assistance in lieu of general cash assistance.

Direct Certification is the process of establishing children's categorical eligibility for benefits by obtaining documentation directly from the State or local food stamp or AFDC office that the children are from households currently receiving food stamps or AFDC benefits. Households determined eligible for meal or milk benefits through direct certifications are not required to submit a free and reduced price application to the school.

Food and Nutrition Service (FNS) is the agency within the U.S. Department of Agriculture that is responsible for administering the National School Lunch Program, School Breakfast Program, Special Milk Program, Commodity School Program and other food assistance programs.

FNSRO is the Food and Nutrition Service regional office.

Food Stamp Household refers to any individual or group of individuals currently certified to receive benefits under the Food Stamp Program.

Free Meal is a meal served under the National School Lunch or School Breakfast Program to a child from a household eligible for such benefits under 7 CFR Part 245 and for which neither the child nor any member of the household pays or is required to work in the school or in the school's food service.

Free Milk is milk served under the Special Milk Program to a child from a household eligible for free milk under 7 CFR Part 245 and for which neither the child nor any member of the household pays nor is required to work in the school nor in the school's food service.

Income Eligible means that any child from a household whose current income is at or below the household size/income limits set forth in the income eligibility guidelines (IEGs) is eligible for either free or reduced price meals or free milk, as applicable. Such households **must** provide household size and income information on the application for free and reduced price meals or free milk to enable school officials to compare the household information to the IEGs.

Income Eligibility Guidelines (IEGs) are the household size and income levels prescribed annually by the Secretary of Agriculture for determining eligibility for free and reduced price meals and for free milk. The free guidelines are 130 percent of Federal poverty guidelines and the reduced price are 185 percent of poverty guidelines.

National School Lunch Program (NSLP) is the program under which participating schools operating a nonprofit food service receive general and special cash assistance and donated food assistance in accordance with 7 CFR Part 210.

Overt Identification means any act that openly identifies children as eligible for free or reduced price benefits in the National School Lunch Program, School Breakfast Program, or Special Milk Program.

Reduced Price Meal is a meal served under the National School Lunch Program or School Breakfast Program to a child from a household eligible for such benefits under 7 CFR Part 245. The price of this meal **must** be less than the full price of the meal and no more than 40 cents per lunch and 30 cents per breakfast. Neither the child nor any household member can be required to work in the school or in the school's food service to supplement the cost of the meal.

Residential Child Care Institution (RCCI) is generally any distinct part of a public or nonprofit private institution that (1) maintains children in residence, (2) operates principally for the care of children, and (3) if private, is licensed by the State or local government to provide residential child-care services under the appropriate licensing code.

School Breakfast Program (SBP) is the program under which participating schools operating a nonprofit food service receive cash assistance in accordance with 7 CFR Part 220.

School Nutrition Programs (SNP) are the National School Lunch Program, School Breakfast Program, Special Milk Program, and Commodity School Program.

School Food Authority (SFA) is the governing body that is responsible for the administration of one or more schools and either has the legal authority to operate the program in these schools or is otherwise approved by FNS to operate the program.

Special Milk Program (SMP) is the program under which participating schools operating a nonprofit milk program receive cash assistance for each half-pint of milk served in accordance with 7 CFR Part 215.

7 CFR Part 245 is the regulation governing the determination of eligibility for free and reduced price meal benefits in the National School Lunch and School Breakfast Programs and for free milk in the Special Milk Program.

Special Assistance Certification and Reimbursement Alternatives are the two optional alternatives for free and reduced price meal application and claiming procedures in the National School Lunch and School Breakfast Programs.

State Agency (SA) is either (1) the State education agency or (2) any other agency of the State designated by the governor or other appropriate executive or legislative authority of the State and approved by USDA to administer the school nutrition programs.

United States Department of Agriculture (USDA) is the Federal agency designated by Congress to administer the National School Lunch, School Breakfast, Special Milk, and Commodity School Programs.

FOOD STAMP INFORMATION

Food stamp case number will start with the letter of the alphabet. It could be:

F - for food stamp

C - for child assistance (there are different kinds of assistance)

U - for unemployment or other severe need

B - for blind

A - for aged

D - for disabled

The alphabet letter is followed by seven digits, a period or a dash, and two digits. The two digits are county codes. The codes are as follows:

01 Barbour	15 Hancock	29 Mingo	43 Ritchie
02 Berkeley	16 Hardy	30 Monongalia	44 Roane
03 Boone	17 Harrison	31 Monroe	45 Summers
04 Braxton	18 Jackson	32 Morgan	46 Taylor
05 Brooke	19 Jefferson	33 McDowell	47 Tucker
06 Cabell	20 Kanawha	34 Nicholas	48 Tyler
07 Calhoun	21 Lewis	35 Ohio	49 Upshur
08 Clay	22 Lincoln	36 Pendleton	50 Wayne
09 Doddridge	23 Logan	37 Pleasants	51 Webster
10 Fayette	24 Marion	38 Pocahontas	52 Wetzel
11 Gilmer	25 Marshall	39 Preston	53 Wirt
12 Grant	26 Mason	40 Putnam	54 Wood
13 Greenbrier	27 Mercer	41 Raleigh	55 Wyoming
14 Hampshire	28 Mineral	42 Randolph	

FREE OR REDUCED PRICE MEAL APPLICATION
INFORMATION UPDATE

(DATE)

Dear _____,

_____ was (were) temporarily approved for free/reduced price meals.

The federal government requires that we make a periodic review of all temporarily approved meal applications.

Therefore, would you please check the appropriate space and return this form as soon as possible.

Program benefits and service are available to all participants, without regard to race, color, gender, age, national origin or disability. If you believe you have been discriminated against write to the Administrator, Food and Nutrition Service, United States Department of Agriculture, Park Center Drive, Alexandria, Virginia 22302.

_____ My income is still the same as it was on _____(date).

\$_____ per month.

_____ My income has changed. At present it is \$_____ per month.

Adult Household member's Signature

**PROCEDURES FOR SELECTING A RANDOM SAMPLE
OF APPLICATIONS FOR VERIFICATION OF
ELIGIBILITY FOR FREE/REDUCED PRICE MEALS IN SCHOOLS**

OBJECTIVE: To provide a uniform method for the random selection of free/reduced meal applications for verification.

STEP 1 The school principal or designate (as assigned in writing) will number consecutively each child's name on the free and reduced master list including temporary applications by the close of the school day October 31 (do not include students approved by direct certification).

STEP 2 Determine three percent (3%) of the total to be verified
ROUNDING UP TO THE NEXT HIGHEST WHOLE NUMBER.

EXAMPLE: Master list includes 90 free, 15 reduced 7 temporary free and 3 temporary reduced for a total of 115 eligibles.
 $115 \times .03 = 3.45$ applications
FOUR applications must be verified.

In cases where 3% represents less than one application, the school will be required to verify a minimum of one (1) application.

STEP 3 The principal/designate will place a duplicate set of numbers (numbers only, no names) in a container from which 3% will be drawn randomly. Check numbers drawn against master list to determine specific application to be verified. Draw additional numbers if two or more of the names drawn appear on a common application.

STEP 4 The selection procedure must be witnessed and documented. All numbered lists, slips drawn and a brief written description of the procedure including date, time and place must be kept on file in each school.

**DOCUMENTATION OF RANDOM SELECTION OF
FREE/REDUCED PRICE APPLICATIONS FOR
VERIFICATION PROCEDURES**

1. School Year _____ County _____

2. Name of School _____

3. Total number of approved applications on file at date of random selection (**do not include direct certification**).

4. Three percent (3%) of total applications = _____

5. Person(s) making random selections (name and title)

6. Procedures for random selections (describe briefly).

7. Numbered list used for random selection is filed.

YES _____

Principal (signature)

Witness (signature)

Date

**PROCEDURES FOR SELECTING A FOCUSED SAMPLE
OF APPLICATIONS FOR VERIFICATION OF
ELIGIBILITY FOR FREE/REDUCED PRICE MEALS IN SCHOOLS**

- OBJECTIVE:** To provide a uniform method for the focused selection of free/reduced meal applications for verification.
- STEP 1** The school principal or designate (as assigned in writing) will count all approved applications, including food stamp households by the close of the school day October 31.
- STEP 2** Determine one percent (1%) of the total counted to fill the non-food stamp sample size.
- STEP 3** Separate applications into two groups, non-food stamps and food stamps. Determine one-half percent (½%) from the food stamp group rounding up to the next highest number.
- STEP 4** From the non-food stamp group select the sample of households that report monthly incomes within \$100.00 below the income eligibility limit and proceed to verify.
- STEP 5** From the food stamp group submit a list of selected names and case numbers to the food stamp office for confirmation of current receipt of food stamps or request a current "Notice of Eligibility" from household.
- STEP 6** The selection procedure must be witnessed and documented. A brief written description of procedures, including date, time and place must be kept on file in each school.

**DOCUMENTATION OF FOCUSED SELECTION OF
FREE/REDUCED PRICE APPLICATIONS FOR
VERIFICATION PROCEDURES**

1. School Year _____ County _____

2. Name of School _____

3. Total number of approved applications on file at date of focused selection (**do not include direct certification**).

4. One percent (1%) of total applications = _____ to be verified.

5. One-half percent (½%) of food stamp applications = _____ to be verified.

6. Total number non-food stamp and food stamp applications to be verified

7. Person(s) making focused selections (name and title)

8. Procedures for focused selections (describe briefly).

Principal (signature)

Witness (signature)

Date

PROTOTYPE LETTER TO PARENTS/GUARDIANS

Date _____

Dear _____:

Federal regulations require that information contained on three/one and one-half percent of all approved applications for free/reduced school lunches be verified. These regulations outline the information to be verified and acceptable documentation (proof) which may be provided for verification purposes.

Through a random/focused selection process, an application approved for (free/reduced) meals for _____ (name) on _____, 199__ (date) has been selected for verification. Attached is information outlining what must be provided by you so that the application can be verified. Please read this information carefully and submit the proper document(s) to me within ten days. Failure to provide this information within the allotted ten day period will result in the loss of _____ (free/reduced) meals for _____ (name).

Child nutrition programs are available to all children without regard to race, color, disability, national origin, gender or age. If you believe you have been discriminated against because of race, color, national origin, age, gender or disability, write to the Administrator, Food and Nutrition Service, USDA, Park Center Drive, Alexandria, Virginia 22302. If you require further information or need assistance, please call me at _____

Sincerely,

Principal

School

Street and/or Post Office Box

Zip Code

SOCIAL SECURITY NUMBERS

If you do not show that you receive food stamps or AFDC for your child, you must show papers that prove your income and you must list the social security number of each adult household member. Write the word "none" if an adult household member does not have a social security number.*

1. _____ _/_/_/_/-_/_/_/-_/_/_/_
2. _____ _/_/_/_/-_/_/_/-_/_/_/_
3. _____ _/_/_/_/-_/_/_/-_/_/_/_
4. _____ _/_/_/_/-_/_/_/-_/_/_/_
5. _____ _/_/_/_/-_/_/_/-_/_/_/_
6. _____ _/_/_/_/-_/_/_/-_/_/_/_

*Privacy Act Statement: The National School Lunch Act requires that, unless you show that you receive food stamps or AFDC for your child, you must provide the social security number of each adult household member or indicate that the household member does not have a social security number. Provision of a social security number is not mandatory, but if a social security number is not provided for adult household member who signs the application or an indication made that the adult household member does not have a social security number, benefits will be terminated. The social security number may be used to identify household members in verifying the correctness of information stated on the application and continued eligibility for the program. These verification efforts may be through program reviews, audits, and investigations and may include contacting employers to determine income, contacting a food stamp or welfare office to determine current certification for receipt of food stamps or AFDC benefits, contacting the State employment security office to determine the amount of benefits received and checking the documentation produced by household members to prove the amount of income received. These efforts may result in a loss or reduction of benefits, administrative claims or legal actions if incorrect information is reported. This information must be provided to the attention of each adult household member disclosing his/her social security number.

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305

PARENT INFORMATION
PROOF OF INCOME FOR FREE OR
REDUCED PRICE SCHOOL MEALS

DOCUMENT PROVING ELIGIBILITY FOR FREE/REDUCED MEALS

YOU ARE REQUIRED TO PROVIDE A COPY OF AT LEAST ONE DOCUMENT that proves the eligibility of your child/children for free or reduced price meals. The instructions below tell you which document(s) you need to provide. The document(s) will be kept confidential.

1. IF YOUR HOUSEHOLD RECEIVES FOOD STAMPS, you may provide ONE of the following documents:

Food Stamp Certification Notice Letter sent to you by the Food Stamp Office.

OR

A letter from the Food Stamp Office stating that you receive Food Stamps.

OR

2. IF YOU DO NOT DO #1 AND ADULTS IN YOUR HOUSEHOLD ARE WORKING, you must provide one of the following documents for EACH working person:

A current paycheck stub;

OR

A pay envelope showing your total gross pay;

OR

A letter from the employer stating your total gross pay;

OR

Self-employed persons must provide a copy of a recent sales tax statement, or FICA form or last quarterly tax estimate.

OR

(OVER)

3. IF YOU DO NOT DO #1 OR #2 AND NO ADULTS IN YOUR HOUSEHOLD ARE WORKING, you must provide copies of documents for all sources of household income.

IF SOURCE OF HOUSEHOLD
INCOME IS:

YOU MUST PROVIDE:

Public Assistance (welfare,
AFDC)

Your benefit notice from Welfare
Agency

Unemployment Compensation

Your notice of eligibility from State
Employment Security Office

Social Security/Black Lung
SSI

Your SSI/Black Lung eligibility
letter or your Social Security
Retirement benefit letter

Alimony or Child Support

The court decree or agreement or
other documentation

Disability or Workmen's
Compensation

The disability award letter or
check stub

Veterans benefits

The benefit notice from VA

OR

4. IF YOU DO NOT DO #1, #2 or #3 AND YOU REPORT NO INCOME ON YOUR APPLICATION, you must attach a brief note explaining in writing how your household pays for food, clothing and housing and when you expect to have income.

You must provide this documentation to the school within ten (10) days.

PROCEDURES FOR DEVELOPING A CONSISTENCY CHECK FOR VERIFICATION

OBJECTIVE: To provide a uniform method for verifying information on free/reduced meal applications.

Depending on the household situation, the following consistency checks must be made for each approved application selected:

STEP 1

Approved applicants documenting food stamp eligibility

Check the documentation carefully against the application to ensure that:

- the household names are the same
- the documentation is current for the month preceding the month during which verification is initiated

If both of these conditions are satisfied, then verification is complete.

If the food stamp documentation does not confirm the household's participation in the program then follow-up is required. The parent letter Difference Between Documentation and Application, Exhibit 21, asks for either clarification or submission of a new application to avoid termination of the child's benefits.

STEP 2

Approved applicants not documenting food stamps but receiving wages

Compare the documentation of total income to the income guidelines for free/reduced price meals. If the amount falls within the appropriate income guidelines, then verification is complete.

If the income on the documentation and the approval for free/ reduced price meals are not consistent, reprocess the application based on documented income. The student's eligibility may change. If the student's eligibility changes, send the parent letter Difference Between Documentation and Application, Exhibit 21, with a new application to the parent/guardian that notes the differences between documentation and application and ask for clarification. The letter allows the parent to provide further information or documentation or submit a new application.

Attach a copy of this letter to the application in question. File these inconsistent applications separately until the requested information is received.

STEP 3

Approved applicants not documenting food stamps and not receiving wages but documenting all sources of household income

Upon receipt of the requested information and/or documentation, check it for consistency. If the information/documentation passes the consistency check, verification is complete. Refile the application and update documentation in your original free/ reduced application files.

If this new information/documentation is not consistent with the guidelines or if the parent does not comply within ten (10) school days, the student's eligibility for free or reduced price meals must be changed as specified in the letter to parents.

STEP 4

Approved applicants not documenting food stamps, wages or any source(s) of income reporting in writing how their household pays for food, clothing and housing

Review the written statement submitted with the application. Classify the application reviewed as "temporary" and review within sixty (60) days.

PARENT LETTER

DIFFERENCE BETWEEN DOCUMENTATION AND APPLICATION

Date _____

Dear _____:

We have reviewed the document(s) submitted as proof of income. The proof checked below does NOT agree with the information on your application for free or reduced price meals.

FOOD STAMP ELIGIBILITY

_____ Wrong family

_____ Not current for last month

_____ Other _____

PAYCHECK STUB, PAY ENVELOPE, LETTER FROM EMPLOYER, SELF EMPLOYED PROOF OF INCOME

_____ Not current for last month

_____ Income reported higher than on application

_____ Income reported lower than on application

_____ Other _____

BENEFIT NOTICE/LETTER OR COPY OF CHECK FROM _____

_____ Not current for last month

_____ Income reported higher than on application

_____ Income reported lower than on application

_____ Other _____

(OVER)

WRITTEN STATEMENT EXPLAINING NO HOUSEHOLD INCOME

_____ Statement shows that there is income

_____ Statement does not fully explain household conditions

_____ Other _____

As a result of this difference, unless you can provide adequate proof of eligibility within ten (10) days (by _____) or submit a new application (enclosed), benefits to your child will:

_____ Change from reduced price meals to free

This change will occur only if you contact the school by the date listed above to explain the difference.

_____ Change from free meals to reduced priced meals at \$ _____ for lunch and \$ _____ for breakfast.

_____ Be stopped.

This change will remain in effect until you provide the information required. If you have any other proof to submit, please send it to the school and this decision will be reconsidered. Failure to reply within ten (10) days will result in the change noted above.

You may reapply at any time during the school year if your eligibility circumstances changes.

If you no longer receive Food Stamps/AFDC Benefits you may submit a new Free/Reduced application with confirming income information.

If you do not agree with this decision you may request a hearing by contacting _____ (hearing officer) at _____ (county office).

If you request a hearing, your child will continue to receive free or reduced price meals until the decision of the hearing official is made.

If you believe you have been discriminated against because of race, color, national origin, age, gender or disability, write to the Administrator, Food and Nutrition Service, USDA, Park Center Drive, Alexandria, Virginia 22302.

You have ten (10) days from the date of this letter to request such a hearing.

Sincerely,

School Principal

PROTOTYPE LETTER TO PARENTS/GUARDIANS
FAILURE TO SUBMIT DOCUMENTATION

Date_____

Dear_____:

You recently received a letter dated _____
asking for proof of income related to free and reduced price meals that your child
_____ receives.

Since we have not received the information requested, a loss of (free/reduced) price
meal benefits will result as of _____ (date).

Program benefits and service are available to all participants, without regard to
race, color, gender, age, national origin or disability. If you believe you have been
discriminated against because of race, color, gender, age, national origin or disability,
write to the Administrator, Food and Nutrition Service, United States Department of
Agriculture, Park Center Drive, Alexandria, Virginia 22302.

Sincerely,

Principal

WEST VIRGINIA DEPARTMENT OF EDUCATION
Office of Child Nutrition
Charleston, West Virginia 25305

**SUMMARY REPORT TO COUNTY OFFICE
SCHOOL VERIFICATION FREE/REDUCED MEAL APPLICATIONS**

Name of School _____

Method Used for Application Selection:

_____ RANDOM SAMPLING _____ NUMBER VERIFIED

_____ FOCUSED SAMPLING _____ NUMBER VERIFIED

Date of Application Selection for Verification _____

Date of Completion of Verification Procedure _____

Selection Procedures are on File at the School YES _____ NO _____

1. Total Number of Applications on File on Day of Application Selection (**do not include direct certification**)

_____ FREE

_____ REDUCED

_____ TOTAL

2. Action Taken on Applications Verified

_____ VERIFIED, NO CHANGE

_____ FREE CHANGED TO REDUCED

_____ FREE CHANGED TO PAID

_____ REDUCED CHANGED TO FREE

_____ REDUCED CHANGED TO PAID

_____ TOTAL

SIGNED _____, Principal

DATE _____

0211tdr/POOMEX

WEST VIRGINIA DEPARTMENT OF EDUCATION
Office of Child Nutrition
Charleston, West Virginia 25305
SPONSOR'S SUMMARY REPORT
SCHOOL VERIFICATION FREE/REDUCED MEAL APPLICATIONS

Name of Sponsoring Agency _____

County _____

Method Used for Application Selection:

_____ Random Sampling _____ Number Verified

_____ Focused Verified _____ Number Verified

Date(s) of Application Selection for Verification _____

Date of Completion of Verification Procedure _____

Selection Procedures Are on File at the School Yes _____ No _____

1. Total Number of Applications on File on Day of Application Selection (**do not include direct certification**)

_____ FREE

_____ REDUCED

_____ TOTAL

2. Action taken on applications verified

_____ VERIFIED, NO CHANGE

_____ FREE CHANGED TO REDUCED

_____ FREE CHANGED TO PAID

_____ REDUCED CHANGED TO FREE

_____ REDUCED CHANGED TO PAID

_____ TOTAL

SIGNED _____ **DATE** _____
Sponsoring Agency

**SUBMIT ANNUALLY TO THE WEST VIRGINIA DEPARTMENT OF EDUCATION
ON OR BEFORE JANUARY 10.**

**SAMPLE HOUSEHOLD NOTIFICATION FOR
DIRECT CERTIFICATION**

Date _____

Dear _____:
(Parent or Guardian)

Your child(ren), listed below, has been approved to receive one free school breakfast and one free school lunch **EACH DAY** at school during the 1995-96 school year. No further application is needed to receive these nutritious meals.

Your household is automatically entitled to receive free meals at school because of participation in the Food Stamp Program or Aid to Families with Dependent Children (AFDC). If you do **NOT** want your child approved to receive free meals, please write to your school principal within ten (10) days stating that you refuse this benefit for your child.

If at any time your household becomes ineligible to receive food stamps or AFDC benefits, you are required to immediately notify the school or the county board of education of the change in eligibility. You may then request an *Application for Free/Reduced Price Meals* and apply for school meals based upon family income and family size. Child nutrition programs are available to all children without regard to race, color, disability, national origin, gender, or age.

Your enrolled child's eligibility for meals at school will be kept confidential. The school is eager to help the family to provide the best possible opportunities for your child's success.

Sincerely,

County Food Service Director

Name(s) of Child(ren):

SECTION G
FINANCIAL MANAGEMENT

Reporting Procedure	G - 1
Reporting Deadlines	G - 2
Reimbursement Procedure and Policy	G - 3
Accurate (Accountable) Records: Participation	G - 4
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Accurate (Accountable) Records: Expenditures	G - 6
Allowable Costs: Food	G - 7
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Consolidation of Schools	G - 17
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Exhibits

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Instructions for Completion of WVDE 43-10-30-S	G - 30.2
WVDE 43-10-31 - Monthly Financial Report	G - 30.3
Instructions for Completion of WVDE 43-10-31	G - 30.4
WVDE 43-10-30 (Monthly Claim for Reimbursement)	G - 30.5
Current Reimbursement Rates	G - 30.6
WVDE 43-10-37a (Net Cash Resources)	G - 30.8
Perpetual Inventory of Consumable Items	G - 30.9
Equipment Record	G - 30.10
Non-Expendable Equipment Schedule	G - 30.11
Non-Expendable Equipment Depreciation Schedule	G - 30.12
Disposition Procedure	G - 30.13
Computer Use Time Record	G - 30.14
School/SFA Edit Check Worksheet	G - 30.15
Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions	G - 30.16
Non-Collusion Affidavit	G - 30.17

REPORTING PROCEDURE

A daily record of the actual number of meals and/or milk served students and adults shall be maintained on Form WVDE 43-10-30-S (Daily Record of Program Operations) [G - 30.1] completed according to instructions [G - 30.2]. The report must be detailed daily at each participating school by a responsible person. The monthly claim for reimbursement is based on information recorded on this report. The completed form is submitted to the School Food Authority (SFA) on or before the fifth day of the succeeding calendar month or as required by the SFA. A copy will also be filed at the school.

Computerized Entries - Schools utilizing micro-computers shall maintain daily records of meal service which provide identical information as that required on form WVDE 43-10-30-S.

At the end of each month during which meals and/or milk were served to students, a monthly financial report, Form WVDE 43-10-31 (Monthly Financial Report) [G - 30.3] is completed by each participating school according to instructions [G - 30.4]. Schools in counties with centralized purchasing and accounting do not need to complete the WVDE 43-10-31 monthly. Financial data provided on this report is the basis for justifying reimbursement payments. The completed report is submitted to the SFA on or before the fifth day of the succeeding calendar month or as required by the SFA. A copy will also be filed at the school.

The SFA is responsible for sending copies of the five following monthly or annual consolidated reports or appropriate computer printouts to the respective WVDE coordinator:

1. WVDE 43-10-30-S (Daily Record Of Program Operations) [G - 30.1]
2. WVDE 43-10-31 (Monthly Financial Report) [G - 30.3]
3. WVDE 43-10-30 (Monthly Claim for Reimbursement) [G - 30.5]
4. Sponsor's Summary Report (Verification) [F - 30.17]
5. WVDE 43-10-32 (Annual Report) [G - 30.8].

All reports, invoices and other records pertaining to the Child Nutrition Program at both the school and SFA level are to be maintained for three years plus the current year.

REPORTING DEADLINES

WVDE 43-10-30 (Monthly Claim for Reimbursement) - Monthly claims for reimbursement are due the 10th of the month succeeding the monthly period being claimed. Payment of claims received after the cut-off date will not be paid until the following month. Claims submitted after the federally mandated 60-day cut-off cannot be processed unless authorized by the United States Department of Agriculture (USDA).

WVDE 43-10-31 (Monthly Financial Report) - Financial data is to be collected and documented monthly on the WVDE 43-10-31 (Monthly Financial Report), however, submission of this information to the West Virginia Department of Education (WVDE) is required quarterly on the following dates.

October	15th
January	15th
April	15th
July	15th

WVDE 43-10-32 (Annual Report) - The West Virginia Department of Education (WVDE) will collect year-end information through the use of an Annual Report Questionnaire. The questionnaire will be mailed to each county board of education during the month of June. Data collected on the questionnaire and information reported on the Monthly Financial Report will be used to generate an Annual Report. The Annual Report will be constructed at the state level and sent to each county school board for verification by the county's food service director and treasurer/school business official.

The correct and complete Annual Report shall be on file at the West Virginia Department of Education (WVDE) prior to **September 30th** of the following fiscal year. Claims for reimbursement will not be processed pending proper completion and acceptance of the prior year's Annual Report.

REIMBURSEMENT PROCEDURE AND POLICY

Each School Food Authority (SFA) prepares a Monthly Claim for Reimbursement, Form WVDE 43-10-30 [G - 30.5] from the data submitted by each participating school under its jurisdiction. Form WVDE 43-10-30 is submitted to the West Virginia Department of Education (WVDE) on or before the tenth day of the succeeding month to claim reimbursement for eligible meals and/or milk. Payment of the claim for reimbursement is made to the SFA which will forward the appropriate amounts to the individual schools.

The WVDE shall make reimbursement payments to SFAs and/or schools only in connection with meals meeting the requirements of a reimbursable breakfast or lunch. Second meals and/or second helpings served to students are not eligible for reimbursement. In no case shall reimbursement be claimed for meals and/or milk served to adults.

Average and/or maximum reimbursement rates [G - 30.6] are determined by the United States Department of Agriculture (USDA) for programs operating under the National School Nutrition Act. Since these rates are subject to change, only the current rates are included and will need to be updated periodically. SFAs which served 60 percent more free or reduced price meals during the second preceding year are entitled to a higher rate of reimbursement for lunch.

In all cases, the total reimbursement paid to an SFA and/or school shall not exceed the actual allowable costs of preparing and serving the meals for which the reimbursement is claimed.

Since September, 1985, WVDE has established the 10th of each month as the "cut-off" date for monthly claims payment. Payment of county claims received after the cut-off date will not be paid until the following month. Federal regulations require all county claims for reimbursement to be submitted to WVDE no later than 60 days after the end of the month. Claims received after the 60 day cut-off cannot be paid unless authorized by the United States Department of Agriculture.

Reimbursement rates to schools within a county may be varied so long as these do not exceed the maximum rate on the list of reimbursement rates [G - 30.6]. The SFA will receive only the standard reimbursement rate per meal served. If reimbursement rates paid one (or more) school(s) are higher than standard, it will be necessary to lower the rates paid to another school or schools in order to allocate only the total amount of reimbursement received. Such schools receiving higher than standard reimbursement rates must be able to document costs for preparing and serving meals to justify the higher reimbursement.

ACCURATE (ACCOUNTABLE) RECORDS: PARTICIPATION

Since participation data is the basis for reimbursement claims, it is imperative that the Daily Record of Program Operations [G - 30.1] reflects complete and accurate information. The system used to obtain participation data (including all types of computer systems) must guarantee an accurate daily count concerning the following:

- actual number of meals served daily by category, regardless of when payment was made;
- all meals served to all adults (program and nonprogram);
- all meals served as "second meals" and/or other non-reimbursable meal service;
- a la carte breakfast sales;
- sale of extra milk; and
- catered meals.

ACCURATE (ACCOUNTABLE) RECORDS: INCOME

Records and receipts documenting income to the program shall be maintained by a responsible person in the school in accordance with the procedures listed below:

- All income to the program shall be properly receipted, reported and deposited.
- There must be separate deposit slips which list only monies deposited to the child nutrition account.
- Financial reports must reflect accurate cash balances, cash due the program, source of cash due the program and all invested funds with accruing interest.
- Bad debts are non-allowable costs to the child nutrition program. Payments for bad debts are not reported as new program income.

ACCURATE (ACCOUNTABLE) RECORDS: EXPENDITURES

The United States Department of Agriculture (USDA) instruction, Food and Nutrition Service (FNS) Instruction 796-1, Revision 2, requires that all expenditures from the child nutrition account be supported by source documents which adequately identify the use of program funds for program purposes. All source documents will identify direct allowable program costs as reported on Form WVDE 43-10-31 (Monthly Financial Report) [G - 30.3] at the school level.

USDA regulations require that the School Food Authority (SFA) maintain effective control over, and accountability for, all funds, property and other child nutrition programs' assets to assure that they are safeguarded and used solely for authorized purposes. These costs are reported in order to claim USDA funds at the SFA level and to justify individual costs at the school level. Therefore, all records, reports, itemized invoices and labor vouchers to support program expenditures shall be maintained at both the school and the SFA levels for the required length of time of three years in addition to the current year.

Income accruing from operation of the child nutrition program may be used for program purposes but not for:

- purchase of land;
- acquisition or construction of buildings; and/or
- addition(s) to existing buildings.

ALLOWABLE COSTS: FOOD

All foods purchased with school child nutrition program funds shall be supported by itemized invoices which list as a minimum:

- specific food items;
- amount purchased;
- cost per unit;
- total cost; and
- purchase date.

All invoices must be signed by the person who receives the food.

A cash register tape without a separate itemized listing of all required information is not acceptable and items purchased will not be considered allowable expenses.

Allowable food costs shall not include the value of United States Department of Agriculture (USDA) foods or the value of missing inventory items (including stolen food).

When food and non-food items are listed on the same itemized invoice, the costs shall be separated and reported in the appropriate categories on Form WVDE 43-10-31 (Monthly Financial Report) [G - 30.3].

The School Food Authority (SFA) shall ensure that the cost of food claimed for meal reimbursement includes only the cost of food used in child nutrition programs.

Coffee may be purchased with program funds to be served with adult meals. Coffee served other than with adult meals is not an allowable child nutrition program expense.

ALLOWABLE COSTS: MILK

Itemized, signed invoices must be available to support the cost of all milk used in child nutrition programs. The School Food Authority (SFA) shall ensure that the cost of milk reported on Form WVDE 43-10-31 [G - 30.3] includes only milk used for meals and the sale of extra milk in child nutrition programs.

The child nutrition program funds may not be used to pay for milk or other beverages sold in the school if the proceeds do not accrue to the child nutrition program account.

When food items, such as cottage cheese and ice cream, are included on "milk" invoices, the cost of these items shall be separated and reported as "food" on Form WVDE 43-10-31.

ALLOWABLE COSTS: LABOR

Itemized, signed documentation of labor costs must be on file at the school to support the cost of labor, which may include:

- salaries of school food service personnel including fringe benefits such as social security, retirement and workers compensation;
- salaries of students who are employed in child nutrition programs; and/or
- direct salary costs of non-cooking personnel with specific food service responsibilities as documented by function and time sheets.

The School Food Authority (SFA) shall establish controls to ensure that no labor cost be claimed for federal funds more than once. Therefore, partial salary payments to secretaries, clerks, principals, teachers, custodians, truck drivers or any other SFA employee included in data used to obtain West Virginia Department of Education (WVDE) indirect cost rates, are not allowed as direct labor costs. In addition, supplemental payments to regular employees of the SFA are not allowable costs, except in instances where there is documentation that the payment is for services beyond regular responsibilities of that employee or for time spent beyond the regular working hours.

ALLOWABLE COSTS: SUPPLIES AND EXPENDABLE EQUIPMENT

Supplies and expendable equipment necessary for the operation of child nutrition programs shall be supported by itemized invoices signed by the person who received the items.

Expendable equipment is equipment with a useful life of one year or less or with an acquisition cost of less than \$500.

The School Food Authority (SFA) shall ensure that all supplies and expendable equipment purchased with school food service funds are used only for the direct operation of child nutrition programs.

Garbage bags, detergents and other supplies used for purposes other than school food service are not allowable child nutrition program expenses.

ALLOWABLE COSTS: NON-EXPENDABLE EQUIPMENT

Non-expendable equipment includes all food service equipment with a useful life of more than one year and an acquisition cost of \$500 or more.

Depreciation is the expense associated with physical deterioration of equipment and consequent loss of value. Depreciation may be claimed as a direct cost for reimbursement purposes. All depreciation claimed as child nutrition program costs for federal reimbursement must be documented by the School Food Authority (SFA). See G - 20 for instructions on depreciation.

ALLOWABLE COSTS: INDIRECT

In addition to direct costs of operating child nutrition programs, indirect costs are incurred. Indirect costs are those which contribute to the cost of producing a meal but are not readily identifiable to the child nutrition account, such as custodial services. United States Department of Agriculture (USDA) policy allows these to be claimed by the School Food Authority (SFA) for reimbursement purposes. The allowable indirect costs of an SFA shall be determined through the use of an indirect cost rate applied to all expenditures except food, on an annual basis.

Financial data to obtain the indirect cost rate is submitted to the West Virginia Department of Education (WVDE) Bureau of Finance and Administration by the SFA. The responsibility for the development and assignment of indirect cost rates for public schools is shared by the USDA and the WVDE.

NON-ALLOWABLE COSTS

United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) Instruction 796-1, Revision 2, lists areas of costs which are not eligible for inclusion in claims for payment from USDA funds and are not allowable costs from the child nutrition account. These are:

- loan repayments;
- bad debts;
- fines and penalties;
- interest and financial costs;
- legislative expenses or executive direction;
- contingency reserve contributions;
- depreciation or use allowance for publicly owned buildings and improvements;
- direct labor costs for administrative personnel above the school food service employee level without direct program responsibility;
- USDA donated food or cash received in lieu of food;
- other donations of cash, services and goods;
- equipment depreciation costs for:
 - a. items which have been fully depreciated;
 - b. items in storage for future use or disposal; and
 - c. that portion of the equipment purchased with federal funds.
- capital expenditures for:
 - a. land or construction; and
 - b. facilities;
- occupancy by contractual agreements which are classified as rental-purchase or leased with an option-to-purchase; and
- cost associated with sales or service to adults and other a la carte sales.

SHARED COSTS

Equipment such as computers, typewriters, copy machines or calculators may be purchased for use jointly by the child nutrition and instructional programs. Cost of the equipment shall be pro-rated according to time of use by each program. Documentation of the time study must be kept on file at the school and School Food Authority (SFA). [G - 30.14] In no case shall the child nutrition program pay more than the proportional share of the total cost of the equipment.

Only the child nutrition program's share of the cost may be included in the calculation of depreciation.

PROCUREMENT STANDARDS

United States Department of Agriculture (USDA) regulations provide standards for the use of the child nutrition program funds. These standards ensure that the procurement of supplies (including food and equipment) and services is in compliance with applicable federal law and executive orders. A complete description of the procurement standards for child nutrition programs is found in 7 CFR Part 3015.180 or Attachment O, OMB Circular A - 102.

Each School Food Authority (SFA) shall maintain a written code of conduct to govern the performance of its employees who have the authority to contract or expend program funds which shall provide for disciplinary action for violators of such standards. No person shall solicit nor accept personal gratuities, favors or anything of material monetary value from contractors and vendors or potential contractors and vendors.

All procurement transactions, regardless of method or dollar value of purchase, shall be conducted in a manner which will provide open and free competition. Positive efforts shall be made to utilize small businesses and minority-owned businesses as sources of supplies and services. The cost plus a percentage of cost contract type shall not be used. A firm-fixed-price contract or cost reimbursable contract is allowable.

Each SFA shall also have written selection procedures for procurement. Federal regulations require agencies receiving federal funds to obtain price quotations from an adequate number of qualified sources (three) and to purchase from a responsible vendor quoting the lowest price.

Regulations specify that formal advertising or competitive sealed bids must have complete and adequate, written specifications; such descriptions, however, shall not contain features which unduly restrict competition. If a particular brand is specified, a clear description of the specific features which must be met shall be clearly stated. The invitation to bid must be publicly advertised and all bids shall be opened publicly at the time and place stated in the invitation to bid. A firm-fixed-price contract shall be awarded to the lowest, responsible bidder. Any bid may be rejected when there is documentation of unsuccessful bidder performance.

All written contracts should contain a Certification Regarding Debarment [G - 30.16] and a Non-Collusion Affidavit [G - 30.17].

Contracts awarded for an extended period of time or recurring contract renewals could be considered a violation of providing the opportunity for open and free competition.

Program aids to assist with purchasing are available from the West Virginia Department of Education (WVDE) or the SFA. School personnel may contact these offices for technical assistance.

EXCESS BALANCE - NET CASH RESOURCES

The West Virginia Department of Education (WVDE) shall review annually the net cash resources [G - 30.8] reported by the School Food Authorities (SFAs). If the net cash resources exceed three months normal operating costs then:

- a justification letter must be filed with the WVDE stating a short term plan of action for use of the funds; or
- adjustments in the rates of reimbursement shall be made until the net cash resources of the SFA are reduced to the required level.

In turn, the SFA shall review annually the operating balance reported by the schools under its jurisdiction.

CONSOLIDATION OF SCHOOLS

The WVDE 43-10-30S (Daily Record of Program Operations) for individual schools are consolidated by the School Food Authority (SFA) into the WVDE 43-10-30 (Monthly Claim for Reimbursement). All SFA's are required to do daily edit checks for their individual schools (from the WVDE 43-10-30S) before submission of their Claim for Reimbursement (WVDE 43-10-30). Failure to do edit checks as required by federal regulations [5210.8(a)(2) and (3)] could lead to forfeiture of the Claim for Reimbursement.

The complete instructions on how to perform daily edit checks can be found in the AccuClaim Manual (pages 20-25). The recommended form to be used in performing the daily edit checks is exhibit G - 30.15. After the daily edit checks are performed and the schools are consolidated, child nutrition program funds may be credited to the school food service program account(s) of the school(s) which the students will attend in proportion to the number of students involved.

PRICING OF ADULT MEALS

Meals served to teachers, administrators, custodians and other adults, such as school patrons, elderly volunteers and Foster Grandparents Program participants, must be priced so that the adult payments in combination with income from other sources (such as state or local fringe benefits or payroll funds, or funding from voluntary agencies) are sufficient to cover the meal costs. The charge for adult meals is determined by the county board of education and approved by the Department of Education in the Agreement between School Food Authority (SFA) and State Agency. It is recommended that the charge(s) be established at or near the county per meal costs. Adult meals are not reimbursable nor counted in the commodity allocation entitlement.

Meals served to adults who are directly involved in the operation and administration of child nutrition programs may, at the discretion of the SFA, be furnished at no charge. As such, their cost may be fully attributed to the nonprofit child nutrition program operation and supported by revenues to the child nutrition program. These meals should be shown as program adult meals. [Column 6 or 12 on form 43-10-30S] School employees who supervise during the lunch or breakfast periods, sell tickets or perform other duties directly related to the food program should do so on a contract basis as described in State Code 18A-4-14 and 18A-4-16.

Meals served to adults not directly involved in the child nutrition program such as administrators, teachers, aides, student teachers and other persons working or visiting in the school may not be served free of charge unless the cost of the meal is covered from another source. These meals should be reported as non-program adult meals.

Student teachers and other persons working in the schools who are not enrolled in the educational program of the SFA are not eligible for free or reduced price meals. They must pay the same price as adults unless the cost is paid by another agency.

INVENTORY RECORDS

The physical or perpetual inventory is necessary to document food and supply costs as required on the Monthly Financial Report, Form WVDE 43-10-31 [G - 30.3]. United States Department of Agriculture (USDA) donated food items must be inventoried separately. (See the Donated Foods section). These inventories shall be maintained by a responsible person and copies shall be kept on file at the school for one year following the date on which they are prepared. The "cost of food used" as claimed for USDA reimbursement shall not include the value of USDA donated foods or missing inventory items, including stolen or spoiled food. A suggested perpetual inventory form is shown [G - 30.9].

A child nutrition program inventory of large equipment shall be maintained by a responsible person for each participating school. USDA regulations require a reconciliation of equipment on hand at the end of each school year. All food service equipment which has fully depreciated must be removed from active inventory. Any new or transferred equipment (\$500 or more per unit) acquired during the year shall be routinely entered in the inventory on a predetermined date, no later than August 31. Any funds received from the USDA Food Service Equipment Assistance (FSEA) account toward the purchase of a specific item of equipment shall be subtracted from the item's reported purchase and installation price. Suggested inventory and depreciation forms are shown [G - 30.10, G - 30.11, G - 30.12].

EQUIPMENT DEPRECIATION

Each school must maintain a complete equipment inventory file which lists all non-expendable equipment [G - 30.11]. The inventory will include:

- an assigned inventory number for each piece of equipment;
- all equipment on hand for program use which has been purchased with an acquisition cost of \$500 or more;
- serial numbers where applicable;
- the month and year of installation;
- the month and year of initial depreciation;
- the acquisition cost;
- the amount of Food Service Equipment Assistance (FSEA) funds, if any, received for equipment items on the inventory;
- the adjusted cost to the child nutrition program (acquisition cost less FSEA funds received); and
- life termination date.

The method described is straight line depreciation in which non-expendable equipment is fully depreciated upon completion -- of its useful life. Once an inventory file has been established, the total value of equipment will be changed annually only when a new piece of equipment is added, traded, scrapped or fully depreciated.

USDA FOOD SERVICE EQUIPMENT ASSISTANCE

Although Public Law 97-35 discontinued the Food Service Equipment Assistance (FSEA) Program which was previously available, equipment funded or partially funded with FSEA funds must comply with the following property management requirements contained in United States Department of Agriculture (USDA) regulations:

- Disposition procedures [G - 30.13] must be followed when equipment is no longer needed for program purposes or when participation in the child nutrition program of the West Virginia Department of Education (WVDE) is discontinued.
- Title for the equipment is vested in the purchaser.
- Records shall be maintained which include a description of the equipment, manufacturer's serial number (or assigned identification), the acquisition date and cost, source or vendor, amount of FSEA funds, current location and use, and all final disposition data.
- A physical inventory shall be conducted by the School Food Authority (SFA) at least once every two years.
- Controls to prevent loss, damage or theft of the equipment and adequate maintenance shall be provided.

GUIDELINES FOR PURCHASE OF COMPUTERS FOR AUTOMATION OF SCHOOL FOOD SERVICE FUNCTIONS

Computers may be utilized to assist with several tasks related to the operation of child nutrition programs at both the school and sponsor levels. Administrative functions may include, but are not limited to, approving free and reduced price meal applications, maintaining a master list of students, assisting with point-of-service count, producing daily and monthly reports and documenting revenues and expenses. Meal service functions may include maintaining inventory records, documenting food production, calculating meal costs and assisting with menu planning. Computers may be used for several other tasks at both levels, limited only by knowledge, skill and desires of the personnel.

As more schools and sponsors are investing in computers to assist with program tasks, adequate documentation must be maintained to justify expenditure of program funds for this purpose.

Sponsors should approve all purchases made by individual school programs to ensure that hardware (including printers and modems) and software purchased with program funds will be compatible with the sponsor's plan for automation of child nutrition reporting. Since the State Agency is currently using IBM hardware, schools and sponsors of child nutrition programs may wish to consider compatibility with State Agency equipment when making future purchases of hardware (including printers and modems) and software.

Child nutrition program funds may be used to purchase hardware, (including printers and modems) software and supplies at 100% of the cost or pro-rated. Adequate documentation is required for either of these.

To comply with procurement regulations, CFR 7 Part 3015, pro-rated costs must be documented by time/usage records on the equipment [G - 30.14].

If child nutrition funds purchase equipment at 100% of the cost, the hardware (including printers and modems) and software must be accessible at all times for use by personnel who are responsible for the various food service tasks.

If child nutrition funds purchase equipment on a pro-rated basis, the hardware and software must be located in a "general use" area of the school for accessibility. For example, private offices and classrooms would not be considered "general use" areas.

For pro-rated usage, records must be maintained to document usage by time (or other means) for food service functions. The records must justify the pro-rated portion of expenditures for hardware, (including printers and modems) software and other supplies paid by child nutrition funds. [G - 30.14]

MONTH:

19

[illegible]

I certify that to the best of my knowledge, this record is true and correct in all respects. Applications for free and reduced price meals are on file.

Signed

Title_

Date _____

MONTHLY FINANCIAL REPORT

EXPENDITURES FOR NON-ALLOWABLE COST CATEGORIES

EXPENDITURES FOR PREVIOUS YEAR ALLOWABLE COSTSEXPENDITURES FOR CURRENT YEAR ALLOWABLE COSTS

SPONSOR'S DIRECT PAYMENT OF CHILD NUTRITION OBLIGATIONS FOR:	Food (A)	Milk (B)	Labor (C)	Equipment (D)	Supply/Repair & Service (E)	Total (F)
7. Previous Year Bills						
8. Current Year Bills						
9. Amounts Outstanding						

SPONSOR _____ MONTH _____ 19____

10. RECEIPTS FOR CURRENT SCHOOL YEAR

	COLUMN 1	COLUMN 2
	Reimbursement Period	Amounts
A. Breakfast Reimbursement		
B. Lunch Reimbursement		
C. Special Milk Reimbursement		
D. Cash Collected - Child		
E. Cash Collected - Adult		
F. Cash Collected - Milk		
G. Cash Collected - Other		
H. (+) Less Bad Checks		
I. State Aid (Matching)		
J. Sponsors Contribution (Formula)		
K. Catered		
L. Loans		
M. Rebates - Food		
N. Rebates - Supplies		
O. Other		
P. Interest		
Q. TOTAL RECEIPTS		

11. FINANCIAL STATEMENT

- A. Opening Child Nutrition Fund Balance (Cash Plus Invested Funds) _____
- B. Total Receipts (Item 10Q) $+$ _____
- C. Total Funds Available $=$ _____
- D. Non-Allowable Meal Costs (Item 1G) $-$ _____
- E. Allowable Costs (Item 3F + Item 5F) $-$ _____
- F. Closing Child Nutrition Funds $=$ _____
- G. Amount of Item 11F That Is Invested _____

12. VALUE OF INVENTORY

Complete Annually on May/June Report

- A. Purchased Foods Inventory \$ _____
- B. Supplies Inventory \$ _____
- C. Government-Donated Foods \$ _____

13. EQUIPMENT DEPRECIATION

Complete Annually on May/June Report

- A. Estimated Value of Equipment on Inventory \$ _____
- B. Less Value of Equipment Purchased With FSEA Funds \$ _____
- C. Adjusted Value of Equipment Inventory \$ _____
- D. Annual Depreciation (Item C X .007 X 12) \$ _____

I certify that this report is, to the best of my knowledge, correct. Invoices are filed to support this report.

SIGNATURE _____ TITLE _____

West Virginia Department of Education
Charleston, West Virginia 25305
USDA Child Nutrition Programs
Monthly Claim for Reimbursement

Month _____, 19____

Name and Address of Sponsor _____

	SCHOOL BREAKFAST		SCHOOL LUNCH Column C	SPECIAL MILK Column D	OTHER NON-REIMBURSABLE SERVICE Column E
	Regular Column A	Severe Need Column B			
1. Number of Schools/ Sites Approved					
2. Number Operating Program					
3. Student Enrollment					
4. TOTAL NUMBER SERVED:	MEALS		MILK		
(a) FREE				1/2 Pints Free	
(b) Reimbursement: Rate					
(c) Claim	\$	\$	\$	\$	
(d) REDUCED					
(e) Reimbursement: Rate					
(f) Claim	\$	\$	\$		
(g) PAID					Other Meals Served:
(h) TOTAL				1/2 Pints Sold	
(i) Reimbursement: Rate					
(f) Claim	\$	\$	\$	\$	
5. TOTAL AMOUNT DUE PROGRAM	\$	\$	\$	\$	
6. Average Daily Participation					# 1/2 Pints Extra Milk:
7. Number Adult Meals				1/2 Pints Adults	

8. Average Cost Per One-Half Pint Milk Purchased _____
9. Number of Children with Approved Applications on File for
Free and/or Reduced Price Meals and Free Milk, Where Applicable Free _____ Reduced _____
10. Number of days in operation _____

I certify that to the best of my knowledge and belief this claim for reimbursement is true and correct in all respects; that records are available to support this claim; that it is in accordance with the existing agreement.

Signature _____ Date _____

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305
OFFICE OF CHILD NUTRITION

REIMBURSEMENT RATES
SCHOOL YEAR 1995-96
(Effective July 1, 1995 - June 30, 1996)

<u>TYPE OF MEAL</u>	<u>REIMBURSEMENT RATE</u>
<u>SCHOOL LUNCH</u>	
(a) Section 4 (All Lunches Served) Sponsors serving less than 60% free and reduced lunches, 1993-94	\$.1725
Sponsors serving 60% or more free or reduced price lunches, 1993-94	.1925
(b) Free	1.6225
(c) Reduced Price	1.2225
<u>SCHOOL BREAKFAST</u>	
(a) All Breakfasts served	.1950
(b) Free	-
Regular Reimbursement	.8025
Severe Need Reimbursement*	.9900
(c) Reduced Price	
Regular Reimbursement	.5025
Severe Need Reimbursement*	.6900
<u>SPECIAL MILK</u>	
(To be served only in schools with no other food service <u>OR</u> to split session Kindergarten Children)	
(a) Paid	.1125
(b) Free	Average cost per 1/2 pint

*Refer to the Policies of Operation Manual, Section B, School Breakfast Program concerning schools eligible for severe need reimbursement.

COUNTY BOARDS OF EDUCATION WITH 60% OR MORE
FREE AND REDUCED PRICE LUNCHES, SCHOOL YEAR 1993-94

Barbour	Pocahontas
Boone	Preston
Braxton	Raleigh
Calhoun	Randolph
Clay	Roane
Fayette	Summers
Gilmer	Taylor
Lewis	Tucker
Lincoln	Upshur
Logan	Wayne
Mercer	Webster
Mingo	Wyoming
McDowell	

WEST VIRGINIA DEPARTMENT OF EDUCATION
CHILD NUTRITION DIVISION
Charleston, West Virginia 25305

NET CASH RESOURCES

SUMMARY OF INFORMATION FROM SCHOOLS AND COUNTY
FOOD SERVICE FUNDS

	CASH RESOURCES	CASH PAYABLE
1. Cash on deposit (Checking account balance, NOW accounts, etc.)	_____	
2. Cash on hand (Money received but not yet deposited, petty cash). Money in school accounts and county accounts. (Ex: State Aid or reimbursements not yet distributed.)	_____	
3. Cash receivables (Charged meals not yet paid for, reimbursements earned but not yet received.)	_____	
4. Accrued earnings on investments (interest earned but not yet received).	_____	
5. Stocks, bonds, certificates of deposit, savings accounts, other investments.	_____	
6. Other cash, or near cash (any cash resources not reported above).	_____	
7. Total cash resources.	_____	
8. Cash payable (unpaid bills, encumbered funds, loans to program).		_____
9. Net cash resources (subtract cash payable - item 8 - from cash resources - item 7).		_____
10. Three months' operating costs _____ ÷ 3 = Total Cost for previous year		_____

COUNTY _____

DATE _____

SPONSOR _____

(For Private Schools And Residential Child Care Institutions)

PREPARED BY _____

PERPETUAL INVENTORY OF CONSUMABLE ITEMS

[illegible]

EQUIPMENT RECORD

School District _____	Inventory Number _____
Equipment _____	Energy Source:
Manufacturer _____	Manual _____
Model Number _____	Steam _____
Serial Number _____	Gas _____ Natural _____
Purchased From _____	Butane _____
Address _____	Propane _____
	BTU _____
Date Installed _____	Electric _____ Watts _____
Warranty Information _____	Volts _____
	Amps _____
Equipment Cost \$ _____	Phase _____
Funding Source: ☒ Food Service _____	Depreciation Schedule:
Federal Aid _____	Page _____
Other _____	

Location

Service Record

DATE	WORK DONE	BY WHOM	CHARGES

Location Verification

DATE	NAME	DATE	NAME	DATE	NAME

WEST VIRGINIA DEPARTMENT OF EDUCATION
Child Nutrition Programs
Charleston, West Virginia 26305

NON EXPENDABLE EQUIPMENT SCHEDULE

[illegible]

DISPOSITION OF NFA EQUIPMENT - PUBLIC SCHOOLS OR CHILD CARE CENTERS**GENERAL POLICY:**

When equipment is no longer needed for the program for which it was acquired, the school or child care center can use the equipment in other Federal programs, giving priority to other USDA programs. When there is no need for the property in any federally assisted program, the following procedures apply:

EQUIPMENT CLASSIFICATION	ACQUISITION COST	OPTIONS FOR DISPOSITION	COMPENSATION TO USDA Computed by applying the percentage of Federal participation in the cost of the property to the current fair market value or sales proceeds of the property	COMPENSATION TO SCHOOL OR CENTER Computed by applying the percentage of local participation in the cost of the property to the current fair market value or sales proceeds of the property
EXPENDABLE	a. less than \$300 per unit b. any cost if useful life is less than 1 year	If aggregate fair market value exceeds \$500, retain or sell	YES	YES
NONEXPENDABLE	\$300 - \$500 per unit used at least 4 years	Use as desired, USDA has no interest	NO	Full rights to equipment
NONEXPENDABLE	a. \$300 - \$500 used less than 4 years or, b. \$501 - \$1000 any age	Retain or sell	YES, less disposition costs if sold	YES, plus \$100 or 10% of sales proceeds (if greater) for selling expenses
NONEXPENDABLE	Over \$1000 per unit	(1) request USDA instructions (2) if no instructions issued within 120 days, SELL	YES, less disposition costs if sold	YES, plus \$100 or 10% of sales proceeds (if greater) for selling expenses
NONEXPENDABLE "Special Equipment"	Over \$1000 per unit Financed solely with Federal funds	(1) Transfer title to USDA if: -right is reserved in writing -equipment is no longer needed -disposition instruction issued within 120 days (2) If no instructions are issued within 120 days, SELL	YES, full rights to equipment or proceeds less costs for shipping, storage, and selling	NO, only: (1) shipping and interim storage costs incurred, and (2) \$100 or 10% of proceeds (if greater) for selling expenses

WEST VIRGINIA DEPARTMENT OF EDUCATION
Child Nutrition Division
Charleston, West Virginia 25305

COMPUTER USE TIME RECORD
(Documentation For Pro-rated Use/Cost)

Name of School/Center _____

Period From _____, 19____ to _____, 19____

Date	Time Used For Child Nutrition	Time Used For Other Functions	Name of Operator

Percent of use assigned to Child Nutrition = _____

(Child Nutrition Time ÷ Total Time)

SCHOOL/SFA EDIT CHECK WORKSHEET

Column 1. School	Column 11. Reduced Price Eligible * Attendance Factor
Column 2. Month	Column 12. ADP Reduced Price, preceding month
Column 3. Attendance Factor	Column 13. Reduced Price Meal Count
Column 4. Total Enrolment	Column 14. Paid Eligible
Column 5. Day of the Month	Column 15. Paid Eligible * Attendance Factor
Column 6. Free Eligible	Column 16. ADP Paid, preceding month
Column 7. Free Eligible * Attendance Factor	Column 17. Paid Meal Count
Column 8. ADP Free, preceding month	Column 18. Total Meal Count
Column 9. Free Meal Count	Column 19. Comments--write in explanations for any counts that exceed the edit checks
Column 10. Reduced Price Eligible	

WEST VIRGINIA DEPARTMENT OF EDUCATION
U.S. DEPARTMENT OF AGRICULTURE

*Certification Regarding Debarment, Suspension, Ineligibility
and Voluntary Exclusion — Lower Tier Covered Transactions*

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 7 CFR Part 3017, Section 3017.510, Participants' responsibilities. The regulations were published as Part IV of the January 30, 1989, *Federal Register* (pages 4722-4733). Copies of the regulations may be obtained by contacting the Department of Agriculture agency with which this transaction originated.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON REVERSE)

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Firm (Vendor)

PR/Award Number or Project Name

Name and Title of Authorized Representative

Signature

Date

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this form, the prospective lower tier participant is providing the certification set out on the reverse side in accordance with these instructions.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this form that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this form that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion — Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

WEST VIRGINIA DEPARTMENT OF EDUCATION
U.S. DEPARTMENT OF AGRICULTURE
NON-COLLUSION AFFIDAVIT

State of _____ : Contract/Bid No. _____
County of _____ : S.S. _____

I state that:

I am _____ of _____
(Title) Name of Firm (Vendor)

and that I am authorized to make this affidavit on behalf of the firm, and its owners, directors, and officers. I am the firm's representative responsible for the price(s) and the amount of this bid.

I state that:

- (1) The price(s) and amount of this bid have been arrived at independently and without consultation, communication or agreement with any other contractor, bidder or potential bidder.
- (2) Neither the price(s) nor the amount of this bid, and neither the approximate price(s) nor approximate amount of this bid, have been disclosed to any other firm or person who is a bidder or potential bidder, and they will not be disclosed before bid opening.
- (3) No attempt has been made or will be made to induce any firm or person to refrain from bidding on this contract, or to submit a bid higher than this bid, or to submit any intentionally high or noncompetitive bid or other form of complementary bid.
- (4) The bid of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive bid.
- (5) The above named firm (vendor), its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency, and have not in the last three years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction involving conspiracy or collusion with respect to bidding on any public contract, except as follows:

I state that the firm (vendor) mentioned above understands and acknowledges that the above representations are material and important, and will be relied on by _____ in

_____ Name of Child Nutrition Sponsor

awarding the contract (s) for which this bid is submitted. I understand and the firm (vendor) understands that any misstatement in this affidavit is and shall be treated as fraudulent concealment from the Child Nutrition Sponsor of the true facts relating to the submission of bids for this contract.

Title

Name of Firm's (Vendor's) Representative

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 19____

Notary Public

My Commission Expires: _____

SECTION H

MONITORING AND AUDITING

Monitoring by State Agency	H - 1
Monitoring by School Food Authority	H - 1
State Agency's On-Site Visit	H - 2
Corrective Action	H - 3
Assessment Procedure - Free and Reduced Meal Application	H - 4
Assessment Procedure - Meal Components and Quantities	H - 5
Adjustment/Repayment of Funds	H - 6
Auditing	H - 7
Coordinated Review Effort (CRE)	H - 8
School Selection Procedure	H - 9
Coordinated Review Effort	
Critical Areas	H - 10
General Areas	H - 10
West Virginia Department of Education Addendum	
General Areas - School	H - 11
General Areas - School Food Authority	H - 11
Other Areas - School Food Authority	H - 11
Non-Compliance Requirements	
Corrective Action	H - 12
Fiscal Action	H - 13
Overclaim Disregard	H - 14
Follow-up Reviews	H - 15
School Food Authority (SFA) Fiscal Action Appeal	H - 16
Coordinated Review Effort (CRE) Compliance	
Critical	H - 17
General	H - 17

Exhibits

Coordinated Review Effort Checklists and Review Forms	H - 30.1
WVDE 43-30-03-S (On Site Visit)	H - 30.2
Plan of Corrective Action	H - 30.3
WVDE 43-10-13-ME (Noted Exceptions)	H - 30.4
Assessments 43-40-22a	H - 30.5
Monitoring of Accountability - SFA Site Monitoring	H - 30.6
Inspection Report for Food Service Establishments	H - 30.7

MONITORING BY STATE AGENCY

By law, state and local education agencies are responsible for the administration and supervision of child nutrition programs funded under the National School Lunch Act and the Child Nutrition Act. Coordinators for the West Virginia Department of Education Office of Child Nutrition monitor local operations, provide technical assistance and assist with the inservice training of food service personnel.

Coordinators are responsible for monitoring programs in public schools in the 55 counties. The monitoring duties of these representatives are performed through On-Site Visits to review food program operations by reviewing reimbursement claims, program reports, management of food service funds, procurement procedures and other aspects of the program.

Two types of reviews are conducted by field personnel:

1. Coordinated Review Effort (CRE) [H - 30.1a]
2. The On-Site Visit [H - 30.2]

MONITORING BY SCHOOL FOOD AUTHORITY (SFA)

AccuClaim regulations (7 CFR Part 210.8) require each School Food Authority (SFA) to monitor its program accountability. No less than one on-site review of the lunch counting and claiming system in place at each school must be completed by February 1 of each year. Each on-site review must ensure that the school's claim is based on the counting system authorized by the West Virginia Department of Education (WVDE), and that the counting system, as implemented, yields the actual number of reimbursable free, reduced price and paid lunches for each day of operation. The monitoring reports must be maintained at the SFA office for review by the state and/or federal personnel. When the review discloses any problems requiring corrective action, a follow-up on-site review must be conducted within 45 days of the initial review to determine that the problem has been resolved. Documentation of the follow-up review must also be maintained at the SFA office. A sample sponsor on-site monitoring review containing the required minimum review areas is included [H - 30.6].

STATE AGENCY'S ON-SITE VISIT

The On-Site Visit is a review of one or more phases of the Program. For example, an On-Site Visit to a school or School Food Authority (SFA) may be made to specifically review record keeping systems or menus and meal quality without reviewing the total Program operation. A record of this type of review is made on Form WVDE 43-30-01-S entitled Record of On-Site Visit [H - 30.2].

CORRECTIVE ACTION

If, during the On-Site Visit, a need for corrective action is found, the problem is noted on the Plan of Corrective Action form [H - 30.3]. Written response by the administrator is required within ten working days.

If, on the day of the review, the meals served do not meet United States Department of Agriculture (USDA) requirements for meal components and quantities, the entire reimbursement for the date of the visit will be deducted from the current claim for reimbursement.

Errors found during the review of free and reduced price meal applications are listed on the Form WVDE 43-10-13-ME (Noted Exceptions) [H - 30.4]. The current monthly claim for reimbursement will be corrected through the day of the review. The reviewing official shall calculate the amount of overpayment or underpayment for meals claimed during the previous months and adjustments will be made by the West Virginia Department of Education (WVDE) finance office. Form WVDE 43-40-22a [H - 30.5] will be completed and a copy given to the SFA.

ASSESSMENT PROCEDURE FREE AND REDUCED MEAL APPLICATION

While checking applications during an On-Site Visit, if errors are found, the West Virginia Department of Education (WVDE) coordinator will allow the school official to make any corrections possible at the time of the review. The remaining applications with errors will be listed on Form WVDE 43-10-13-ME (Free and Reduced Applications with Noted Exceptions) [H - 30.4]. The school official will be given the opportunity to provide proof of the number of meals the student consumed using the date of the application approval, the school calendar, attendance register and/or meal participation roster. Meals to be assessed may be from the day of application approval to the day before the visit of the WVDE coordinator.

Assessment amounts will be calculated using the error code listed below:

Error Code A	Approved free should have been reduced. The difference between free and reduced reimbursement rate is multiplied by the number of meals served and claimed.
Error Code B	Approved free should have been ineligible. The free reimbursement rate is multiplied by the number of meals served and claimed.
Error Code C	Approved reduced should have been free. No assessment.
Error Code D	Approved reduced should have been ineligible. The reduced reimbursement rate is multiplied by the number of meals served and claimed.
Error Code E	Denied should have been free. No assessment.
Error Code F	Denied should have been reduced. No assessment.
Error Code G	Insufficient data. Based on the checked approval, either free or reduced, the assessment is figured as in B and D.

Copies of the Form WVDE 43-10-13-ME will be left with an On-Site Visit and Corrective Action form. For applications with Error Code G the school is allowed ten working days to complete or correct the application before an assessment is made.

ASSESSMENT PROCEDURE MEAL COMPONENTS AND QUANTITIES

During the On-Site Visit, the West Virginia Department of Education (WVDE) coordinator will determine if the meal served on the day of the review contains the components and quantities to meet meal pattern requirements. If the components and/or quantities are inadequate to meet United States Department of Agriculture (USDA) requirements, an assessment will be made for all reimbursement for that day's meal. If the school has a choice of menus and only one menu is inadequate in components and/or quantities, the Section 4 (total meals) reimbursement can be assessed, or a percentage of meals served may be assessed.

In schools with two serving lines, the line serving the menu choice with inadequate components and/or quantities is assessed.

When conducting an On-Site Visit menus may be examined using the production records. Meals determined to contain insufficient components in required quantities shall be found out of compliance.

POLICY CONCERNING ADJUSTMENTS/REPAYMENT OF FUNDS

There are several situations that arise which require a School Food Authority (SFA) or school to repay funds to West Virginia Department of Education (WVDE) or claim additional funds due the SFA. The following methods shall be used for repayment.

1. When the situation requiring repayment occurs during the current federal fiscal year (October 1 to September 30), the amount owed will be deducted from a future claim by the WVDE finance office.

For example: An error on October claim (WVDE 43-10-30) [G - 30.5] results in an overclaim of \$30.00. This amount will be deducted from a future claim for reimbursement by the WVDE.

2. If the situation requiring overpayment occurs during the previous federal fiscal year, the amount must be repaid by check to WVDE within 60 days of the finding.

For example: If the error had been on the September claim, a check for \$30.00 must be written to WVDE.

3. There are also situations which require both methods of repayment.

For example: During a review in December an error in application approval is found. The overclaim for meals claimed for ineligible children during September would be repaid by check (written to WVDE) while meals incorrectly claimed in October and November would be deducted from a future claim for reimbursement.

4. All monies owed to WVDE must be repaid within 60 days of notification of the debt. After the 60 day period, SFA reimbursement will be delayed until the funds are received.

If during a review by the WVDE an underclaim for reimbursement of meals is found the SFA or school shall submit a revised claim to the WVDE. Adjustments will be made upon receipt of the revised claim.

AUDITING

The Office of Management and Budget (OMB) Circular A-128 establishes uniform audit requirements for state and local governments, or their subdivisions, that receive Federal financial assistance. The Circular requires recipients and subrecipients of Federal financial assistance to arrange for independent audits of financial operations, including compliance with certain provisions of Federal laws and regulations, and to assure that single audits are made in accordance with Circular A-128.

The audit of all fiscal accounts will be conducted by auditors from the West Virginia State Tax Commission or an independent firm. In order to meet the program audit requirements as set forth in the United States Department of Agriculture (USDA) Audit Guide for school programs, the West Virginia State Tax Commission Office will, upon the completion of the audit of the fiscal accounts, appoint a private auditor or certified public accountant to conduct a program audit for the child nutrition program funds. Each School Food Authority (SFA) will be charged by the private auditing firm for the child nutrition program portion of the audit. The SFA will be charged a per diem fee and expenses by the West Virginia State Tax Commission for the commission's fiscal portion of the audit.

The findings or recommendations concerning the child nutrition program audits must be reviewed immediately by the West Virginia Department of Education (WVDE). Notice of audit findings and recommendations shall be forwarded to the SFA within ten days. WVDE shall work toward resolution of the findings within 90 days.

Child Nutrition Program Audit Requirements

<u>Sponsor Type</u>	<u>Annual Amount of Total Federal Funding</u>	<u>National School Lunch Program, School Breakfast Program, Summer Food Service Program, Special Milk Program</u>
Governmental-OMB A-128 (Includes Public Schools)	Under \$25,000	None
	\$25,000 - \$100,000	Organization-wide or Program Annually
	Over \$100,000	Organization-wide Annually
Non-Governmental-OMB A - 133	Under \$25,000	None
	Over \$25,000	Organization-wide or Program Annually or Biennially

COORDINATED REVIEW EFFORT (CRE)

The United States Department of Agriculture (USDA) has replaced Assessment, Improvement and Monitoring System (AIMS) with Coordinated Review Effort (CRE) for monitoring the accountability of the National School Lunch Program. Public Law 101-147, enacted November 10, 1989, required changes in the review of the National School Lunch Program. Federal regulations mandated a unified accountability system, called the Coordinated Review Effort, or CRE, effective in the 1992-93 school year.

CRE is a two part review process which includes critical and general areas. A standard review form is used to ensure that the critical areas are reviewed in the same manner for all schools. School Food Authorities (SFAs) are reviewed once every four year cycle.

SCHOOL SELECTION PROCEDURES

All schools, with the exception of Residential Child Care Institutions, with a free average daily participation of 100 or more and a free participation factor of 100 percent or more must be reviewed. Selection of additional schools to meet the minimum number of schools to review must be based on the following criteria:

- Elementary schools with a free Average Daily Participation (ADP) of 100 or more and percent free participation of 97% or more;
- Combination schools with a free ADP of 100 or more and a percent free participation of 87% or more; and
- Secondary schools with a free ADP of 100 or more and a percent free participation of 77% or more.

When the number of schools selected using the criteria described above does not meet the required number of schools to review, the West Virginia Department of Education (WVDE) must select additional schools using the following criteria:

- low participation schools;
- recommendations from a food service director;
- findings from the on-site visits or the claims review process;
- any school in which the daily lunch counts appear questionable;
- identical or very similar claiming patterns;
- large changes in the free lunch counts;
- new manager or school/manager never reviewed by State;
- new or unusual accountability system;
- proportional mix of the different counting systems employed by the School Food Authority (SFA); and/or
- schools which have less than 100 free ADP but greater than 100 percent free participation.

When selecting schools for administrative review, the WVDE must use the required procedures and criteria. The selection may occur prior to the review date or may occur at the time of the review. The table below is used to determine the minimum number of schools to review.

Number of Schools in the School Food Authority	Minimum Number of Schools to Review	Number of Schools in the School Food Authority	Minimum Number of Schools to Review
1 to 5	1	41 to 60	6
6 to 10	2	61 to 80	8
11 to 20	3	81 to 100	10
21 to 40	4	101 to More	12*
* 12 plus 5 percent of the number of schools over 100. Fractions must be rounded to the nearest whole number.			

COORDINATED REVIEW EFFORT (CRE)

The Coordinated Review Effort (CRE) critical areas include performance standards 1 and 2. The two performance standards are designed to address the accountability and nutritional integrity facing the child nutrition programs as identified by existing management and monitoring tools available to United States Department of Agriculture (USDA).

CRITICAL AREAS

Performance Standard 1

- Eligibility Certification
- Benefit Issuance
- Updating Eligibility
- Counting and Claiming
- Lunch counts combined and recorded correctly

Performance Standard 2

- Components available to all students
- All observed lunches claimed for reimbursement contained the required number of food items.

The CRE review includes additional areas of program operations that are important for program accountability.

GENERAL AREAS

- Free and Reduced Price Process
- Meal Patterns
- Civil Rights
- Monitoring Responsibilities
- Reporting and Recordkeeping

WEST VIRGINIA DEPARTMENT OF EDUCATION ADDENDUM

GENERAL AREAS - School

- Point of Service Meal Counts
- Internal Control
- Cash Management
- Meal Quality
- School Environment
- Standards for School Nutrition, Policy 4321.1

GENERAL AREAS - School Food Authority

- System for consolidating the claim for reimbursement
- Financial management of food service funds
- Direct certification of free/reduced price meal applications (if applicable)
- Food service management company contract (if applicable)
- Procurement procedures
- Standards for School Nutrition, Policy 4321.1 Plan

OTHER AREAS - School Food Authority

- Adult Meal Pricing
- Accruing Program Interest
- Program versus Non-Program Adults
- Bill Distribution
- Administrative Salaries
- Decentralized Net Cash Balance (NCB)
- Recent Audit
- Annual Report

NON-COMPLIANCE REQUIREMENTS

CORRECTIVE ACTION

Corrective action is taken for any non-compliance noted in Coordinated Review Effort's (CRE's) critical or general areas, and/or the West Virginia Department of Education (WVDE) review areas.

Actions taken to correct a non-compliance must be documented by the School Food Authority (SFA) and reviewed by the WVDE. Documented corrective action may be submitted at the time of the review or sent to the WVDE certifying that the corrective action required for each non-compliance has been corrected along with notification of dates completed.

Documented corrective action must be postmarked or submitted to the WVDE no later than 30 days after the established deadline(s) for completion of each required corrective action, or as otherwise extended by the WVDE.

Problems identified must be corrected system-wide. Effective corrective action must be taken by the SFA in all schools and programs, not just those reviewed.

FISCAL ACTION

Fiscal action must be taken for any non-compliance of Coordinated Review Effort (CRE) Critical Areas of review. Fiscal action may be taken for findings in the General Areas of review or reimbursement payments may be withheld.

Fiscal action is calculated after the School Food Authorities (SFA's) documented corrective action has been reviewed by the West Virginia Department of Education (WVDE). If a SFA fails to submit adequate corrective action by the due date (30 days), the WVDE may calculate fiscal action through the last serving day of the school year.

OVERCLAIM DISREGARD

The West Virginia Department of Education (WVDE) may disregard a Coordinated Review overclaim if the total School Food Authority overclaim from an administrative review and all subsequent follow-up reviews does not exceed \$600.00 per program (National School Lunch Program, School Breakfast Program, Special Milk Program). However, no overclaim is to be disregarded where there is substantial evidence of violations of criminal law or civil fraud statutes.

FOLLOW-UP REVIEWS

Follow-up reviews are conducted when the threshold has been exceeded for Coordinated Review Effort (CRE) performance standards 1 and/or 2.

The follow-up review must determine that effective corrective action has been implemented for any non-compliance under either the critical or general areas of review. At the time of the follow-up review, at a minimum:

- review those aspects of the critical areas which contributed to the review threshold(s) being exceeded;
- determine whether corrective actions were satisfactorily completed within the time frames established by the West Virginia Department of Education (WVDE);
- evaluate whether corrective actions resolved the problem(s) system-wide; and
- review those aspects of the critical areas which contributed to the review threshold(s) being exceeded in any other programs operated by the School Food Authority (SFA), i.e., the School Breakfast Program, Special Milk Program for Children and/or after school care programs offering meal supplements. If the administrative review covered those other programs and found their operations to be satisfactory, they need not be reviewed during the follow-up review.

The follow-up review is not intended to be a re-review of areas that were previously deemed adequate. The basic premise in following up on the non-compliance identified is to focus on the specific finding(s) and determine if the system(s) is adequate. To accomplish this, the scope of the review activity will vary depending on the problem(s) identified.

If the review threshold non-compliance(s) is limited to the school food authority level (e.g., centralized eligibility certification and/or benefit issuance process, school food authority claim consolidation, or centralized kitchen errors), the follow-up review activity may be limited to the school food authority level.

If the review threshold non-compliance(s) was identified at the school level, at least the minimum number of schools required in the following table must be reviewed.

Number of Schools in the School Food Authority	Minimum Number of Schools to Review	Number of Schools in the School Food Authority	Minimum Number of Schools to Review
1 to 5	1	41 to 60	6
6 to 10	2	61 to 80	8
11 to 20	3	81 to 100	10
21 to 40	4	101 to More	12*
* 12 plus 5 percent of the number of schools over 100. Fractions must be rounded to the nearest whole number.			

SCHOOL FOOD AUTHORITY (SFA) FISCAL ACTION APPEAL

School Food Authorities (SFAs) may appeal the denial of all or a part of a Claim for Reimbursement or withholding payment resulting from a state agency-conducted review under the auspices of the Coordinated Review Effort (CRE).

COORDINATED REVIEW EFFORT (CRE) COMPLIANCE

CRITICAL

To be in compliance with CRE's critical review areas, School Food Authorities (SFAs) must do the following:

- Have each child's eligibility for free or reduced price meals correctly approved.
- Have a system to issue benefits and to update the eligibility of children approved for free and reduced price lunches.
- Serve lunches that contain the required food items.
- Base claims for reimbursement on accurate lunch counts, by category, taken at the point of service.
- Record, consolidate and report lunch counts on the claim for reimbursement correctly.

GENERAL

To be in compliance with CRE's general review areas, SFA's must do the following:

- Follow the procedures identified in the free and reduced price policy statement.
- Verify the correct number of free/reduced price meal applications by December 15; make applicable status changes; submit SFA summary report to the West Virginia Department of Education (WVDE) by January 10.
- Serve lunches that provide the required quantities of food.
- Make sure that no child is denied benefits or discriminated against because of race, color, national origin, age, gender or disability.
- Make sure on-site reviews of each school's meal counting system are conducted and documented by February 1.
- Check each school's meal counts before submitting the claim for reimbursement to the WVDE.
- Submit reports and keep records as required.

**COORDINATED REVIEW EFFORT (CRE)
CHECKLIST FOR SCHOOL FOOD AUTHORITY LEVEL REVIEW**

1. Copy of current approved agreement and free and reduced price policy statement. Also, renewal, if applicable.

Provide to each review team for each school being reviewed information on:

Collection and counting procedure

Offer vs serve

Copy of all letters, notices, forms

2. Press/media release.
3. Direct certification documentation, if applicable.
4. Claim for Reimbursement for the review period.
5. Data used in consolidating the Claim for Reimbursement, if applicable. Obtain copy of daily counts claimed for the review period for each school.
6. Documentation of edit check process.
7. Documentation of on-site reviews for SFAs with more than one school; corrective action taken (if applicable). [H - 30.6]
8. Verification records.
9. Civil Rights data and information, including:
 - civil rights complaint procedure
 - foreign language translations of program materials, if needed, copies/ documentation of written or verbal complaints alleging discrimination, if applicable
 - racial/ethnic breakdown of denied free and reduced price applications
10. Are menus centralized? Central kitchen? Obtain information on all schools involved, and secure a copy of the centralized menus for the review period.
11. Submission of reports to the State agency.
12. Records are maintained for at least three years.
13. Most recent audit.

CHECKLIST FOR INDIVIDUAL SCHOOL REVIEW

IN THE PRINCIPAL'S OFFICE

1. All school profile questions on S 1, #1-12 of the review form.
2. Approved, withdrawn and denied free, reduced applications and/or direct certification documentation.
3. Documentation of withdrawn students.
4. Distribution and collection of free, reduced applications.
5. Determining official.
6. Lists of eligible students for review period (benefit issuance document).
7. The procedure to update students' eligibility by the required time (three or ten days). In addition, documents pertaining to any changes that were required during the review period.
8. Verification records including: 1) documentation of number of approved applications on file as of 10/31, 2) selection procedure, 3) notification of selection letter, 4) copies of applications selected, 5) documents showing changes in eligibility).
9. Point of service procedure.
10. Efforts to prevent overt identification.
11. Civil rights complaint procedure.
12. Civil rights questions on G-2, #701-706 of the review form.
13. Documentation of on-site review and corrective action, if required. (Obtain at the SFA)
14. Have available a school calendar indicating days on which lunch was served.
15. Attendance for day of review.

IN THE CAFETERIA AND/OR SCHOOL OFFICE

1. Menu for day of review.
2. Menus for review period.
3. Ticket issuance procedure, if applicable.
4. Collection procedure.
5. Point of service procedure.
6. Recording and reporting of lunch count information to the school office and the SFA.
7. Daily and monthly lunch count records for the review period. (S-MASTER)
8. Handling of lost, mutilated or stolen tickets. (if applicable)
9. Procedure for counting second meals? (i.e., assuring that they are not claimed).
10. Communication of changes in students' eligibility with the cafeteria or point of service staff.
11. Implementation of offer vs serve.
12. Method of assuring accurate meal counts for reimbursable meals obtained/served on field trips.
13. Physician's statement on file noting substitutions for special needs children.
14. Overt identification prevention, i.e.
tickets, tickets issuance procedure and/or roster.
15. Civil rights information on G-2 of the review form.
16. Observe lunch service with particular regard to:
 - Counting procedure.
 - Overt Identification.
 - Reimbursable meals.
 - Portion sizes.
 - All five required food items/components available throughout the meal service.
 - Reimbursable meals correctly claimed.
 - Unflavored lowfat and whole milk available throughout the meal service.

COORDINATED REVIEW EFFORT CHECKLIST

Reviewers

- Name, address, phone number, grades taught of each school to be reviewed
- Name of Principals, Secretaries and Cooks
- Directions to the schools to be reviewed
- Meal service times (lunch)
- Location of the free/reduced price meal applications; direct certification (if applicable), school or SFA
- Verification conducted at each school or the SFA
- Review month's S-master for schools scheduled for review

School/Institution

- Edit check procedure
- Review month's free/reduced price meal applications; master list
- Procedure to update free, reduced eligibility status. Documentation of changes
- Each school's method for counting, recording, and reporting daily meal counts for f, r, p, students, program adults, non-program adults, and nonreimbursable meals (point of service)
- Each school's method for collecting, counting, recording, and reporting cash collected. Persons responsible
- Current Policy Statement implemented as approved
- Price of an adult lunch, a student paid lunch, and extra milk sold
- S-Master for the review month
- Verification of free/reduced price meal applications
- Procedure for claiming visiting students; meals by category on field trips
- Production Records; CN labels; review month's menus; Policy 4321.1 compliance
- Racial/ethnic data for denied, f, r, meal applications. Procedure to receive discrimination complaints. Civil rights statement and complaint procedure on program materials
- Vended items fact sheets

SFA/Sponsor

- Review month's S-masters and C-master. Review F-master.
- System for consolidating the claim for reimbursement; data used
- Documentation of SEA/Sponsor Site monitoring prior to February 1st;
- The SFA/Sponsor's Agreement, Policy Statement
- Verification summary
- Financial Management of Food Service Funds
- Audit reports
- Racial/ethnic data for denied, f, r, meal applications. Procedure to receive discrimination complaints. Civil rights statement and complaint procedure on program materials.
- Edit check procedure
- Review month's free/reduced applications; master list (if located at the SFA). Direct certification procedures. (if applicable)
- SFA's Comprehensive Nutrition Plan. Policy 4321.1 Compliance.
- Procurement procedures and documentation
- Equipment Inventory, depreciation schedule

COORDINATED REVIEW

SCHOOL FOOD AUTHORITY
PERFORMANCE STANDARD SUMMARY[] 1ST REVIEW
[] FOLLOW-UP

1. Reviewer: _____	Date of Exit Conference: _____
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2. SFA Name	Agreement Number	Number of Schools		Review Period
		Total	Reviewed	

SFA LEVEL

3. Performance Standard 1	Yes	No	N/A	Performance Standard 2	
Adequate System for Consolidating Claims		*		Number of Incomplete Lunches Observed in Schools on Day of Review	
* Response Results in PS 1 Violation and Exceeds Threshold				Total Number of Lunches Observed	
				Percent Incomplete Lunches (10% or more exceeds threshold)	

SCHOOL LEVEL

4. School Name	Performance Standard 1						Performance Standard 2		
	% F & RP Lunches Claimed Incorrectly (From S-6)	Number of Lunches Claimed Incorrectly (From S-6)	Adequate Counting and Claiming System				Lunches Observed on Day of Review		
			Day		Review Period				
			Yes	No	Yes	No	Total	Incomplete	
Subtotal (From Continuation Sheet)									
TOTAL									

Number of schools with 1) 10% or more (but not less than 100) free and reduced price lunches claimed incorrectly or 2) a NO answer to Adequate Counting or Claiming System for Day or Review Period: A. _____

Number of schools needed for this size SFA to exceed PS 1 threshold: B. _____

PS 1 threshold exceeded if A. is equal to or greater than B.

PS 1 Threshold Exceeded _____	Yes	No	PS 2 Threshold Exceeded _____	Yes	No
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COORDINATED REVIEW

SCHOOL FOOD AUTHORITY CRITICAL AREAS OF REVIEW

☐ 1ST REVIEW
☐ FOLLOW-UP

SFA:	DATE OF REVIEW:
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REVIEW AREAS	YES	NO	N/A	COMMENTS
Performance Standard 1				
Eligibility Certification				
Direct Certification				
101a. Is direct certification utilized by the SFA?				
b. If YES, is required documentation maintained at the SFA level?				
c. If documentation is available at the SFA, does it contain all the required information?				

REVIEW AREAS	YES	NO	N/A	COMMENTS
Consolidating and Claiming				
102a. Does the SFA consolidate the Claim for Reimbursement?				
b. If YES, complete 103. and 104.				

103. Review Period: _____			
Eligibility Categories	SFA Claimed Lunch Counts	- Reviewer Validated Lunch Counts	= Difference +/-
Free			=
Reduced			=
Paid			=

REVIEW AREAS	YES	NO	N/A	COMMENTS
104a. Were the total lunch counts by category for the review period correctly consolidated and claimed by the SFA?				
b. If NO, describe the problem and indicate why the problem was:				
____ Nonsystemic				
____ Systemic *				

* Response results in PS 1 threshold exceeded. Record as NO on SFA-1, 3.

INSTRUCTIONS FOR S-1

SCHOOL DATA

1. Indicate the type of school by checking ☒ as many categories as apply.
2. Check ☒ all types of meal service which apply to this individual school. If meal service is provided by a food service management company, enter the name of the company.
3. Enter the grades from all schools which participate in the NSLP at this school.
4. Enter the total number of students who have access to the NSLP at this site. This figure should encompass the time period for the review period. If this number is not available, use the number which is most representative of the review period.
5. Enter the Average Daily Attendance (ADA) factor in the space provided and circle the source of the ADA factor, Local (L), State (S) or National (N). The local factor may be an attendance factor supplied by the SFA or one developed by the reviewer. The reviewer should use the factor which provides the most accurate reflection of the actual attendance for the review period for this school. The attendance factor must be in decimal form rounded to three places.
6. Enter the review period and number of serving days in the review period.
7. Indicate whether the school has offer versus serve. If YES, check ☒ three or ☒ four for number of required items.
8. Indicate whether the school has a la carte service available. If the only a la carte sold is milk, check ☒ milk only.
9. Record the time when the lunch service begins and ends.
10. Indicate each location where lunches are served. If OTHER, describe the location or setting.
11. Enter the number of points where meal counts are taken.
12. Enter any comments and reference the block number(s) to which the comments refer.
13. Enter the number of free and reduced eligible (refer to Instructions for S-2, 201a.). Determine the number of paid eligible by subtracting the free and reduced eligible counts from the total number of students recorded in S-1, 4.
14. Enter the school's counts and reviewer's counts for the day of review (refer to Instructions for S-3, 302a.). Calculate and record the difference.
15. Enter the school's counts, the SFA's claim for the school and the reviewer's validated counts for the review period (refer to Instructions for S-4, 405a.). Calculate and record the difference between the SFA's claim and the reviewer's validated counts.
16. Calculate the Average Daily Participation (ADP) factor. Divide the meals claimed by category by the SFA recorded in 15, by the serving days recorded in 6. Divide this number by the number of eligible recorded in 13. Round the participation factors obtained to three decimal places.
17. Record the number of lunches served to ineligibles or second lunches counted (refer to Instructions for S-3, 301a.).
18. Record the total deficient lunches which resulted from a menu missing an item/component (refer to Instructions for S-3, 304c.).
19. Record the total number of lunches observed and the number of incomplete lunches (refer to Instructions for S-3, 305c.).

☐ 1ST REVIEW
☐ FOLLOW-UP

INSTRUCTIONS FOR S-2

ELIGIBILITY CERTIFICATION

- 201a. Obtain all of the eligibility documentation (applications and direct certification). Count the number of students approved for meal benefits for the review period as made by the school. If there is no date on the application or direct certification, consider it a valid application for the review period. Record this information on S-1, 13. Indicate if all applications or a statistically valid sample are reviewed. If using a statistically valid sample, follow the instructions for statistical sampling procedures in the Coordinated Review Guidance and retain documentation.
- b. Review and evaluate eligibility determinations for completeness and accuracy. Indicate if the application approval process is implemented correctly. Answer YES if all applications are approved correctly. If any errors are noted, answer NO and explain in the comments section. Record all discrepancies on the Certification and Benefit Issuance Error Worksheet, S-5.
- c. Indicate if the direct certification determinations are correct. If direct certification documentation does not contain the required information, record the students as miscategorized on the Certification and Benefit Issuance Error Worksheet, S-5. If any errors are noted, answer NO and explain in the comments section.
- 202a. Test the system of benefit issuance, e.g., tickets, rosters, tokens by comparing a minimum of every 10th name listed as a free or reduced eligible shown on benefit issuance documentation to the eligibility determinations. If more than 10% of the names are reviewed, record the procedure used in the comments section. Determine the error rate by dividing the number of names in error by the number of names reviewed. Multiply the results by 100 and indicate if it is 5% or more.
- b. If 5% or more of the names are in error, indicate if the additional review included either all remaining names on benefit issuance documentation, or a statistically valid sample. If using a statistically valid sample, follow the instructions for statistical sampling procedures in the Coordinated Review Guidance and retain documentation. Record all discrepancies on the Certification and Benefit Issuance Error Worksheet, S-5.
203. Determine if there were changes in eligibility as a result of verification or resubmitted applications during the review period. If changes were required and not made within the required timeframes, answer NO. If there were no changes, indicate if the SFA has established procedures in place to update eligibility by the required timeframes. Record all discrepancies on the Certification and Benefit Issuance Error Worksheet, S-5.

COORDINATED REVIEW

SCHOOL
CRITICAL AREAS OF REVIEW

SFA: _____	School: _____
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REVIEW AREAS	YES	NO	N/A	COMMENTS
Performance Standard 1 Eligibility Certification Applications and Direct Certification 201a. Review of applications included: _____ All applications; or _____ A statistically valid sample. b. Were all applications approved correctly ... for this school? c. Were all direct certification determinations correct for this school? If NO to b. or c., explain. Record errors on the Certification and Benefit Issuance Error Worksheet, S-5.				
Benefit Issuance 202a. Did the review of 10% of the names on the benefit issuance document result in a 5% or greater error rate? b. If YES, additional review included: _____ All names on the benefit issuance document; or _____ A statistically valid sample of names on the benefit issuance document. Record errors on the Certification and Benefit Issuance Error Worksheet, S-5.				
Updating Eligibility 203. Were changes in eligibility status increased no later than 3 operating days and decreased no later than 10 operating days from the final decision? Record errors on the Certification and Benefit Issuance Error Worksheet, S-5.				

INSTRUCTIONS FOR S-3

DAY OF REVIEW

301a. Observe and indicate whether an accurate count by eligibility category is taken at the point of service or an approved alternate. To answer YES, the system must be based on an actual count of students served by category and must consistently yield correct results. A NO answer is needed when an accurate count of meals by category is not observed. If second lunches or lunches served to ineligible were observed, record in S-1, 17.

b. Investigate the problem to determine if the causes are nonsystemic or systemic. Describe why the problem was nonsystemic or systemic and the fiscal and corrective action recommended. [When the reviewer is unable to identify actual number of meals incorrectly claimed and there is no accurate count by eligibility category, the fiscal action required is recalculation of the meal counts.]

302a. Observe how the meal counts by category are obtained from each point of service and combined for the total meal count by category for the school. Record on S-1, 14. Validate the meal counts by type and record as reviewer's count for day of review on S-1, 14. Calculate the differences to determine if the procedures used by the school were accurate. If there were differences between the school's combined counts and the reviewer's combined counts, the question must be answered NO.

b. Investigate to determine if the causes are nonsystemic or systemic. Describe why the problem was nonsystemic or systemic and the fiscal and corrective action recommended. [When the reviewer is unable to identify actual number of meals incorrectly claimed and there is no accurate count by eligibility category, the fiscal action required is recalculation of the meal counts.]

303a. Indicate if fiscal action is needed based on the problems identified in 301 and 302. If there are no problems, answer NA.

b. If there are problems in 301 and/or 302 and fiscal action is not necessary, explain why in the comments section.

If a systemic problem is identified on 301 or 302 which results in fiscal action, it will be necessary to obtain information from Claims for Reimbursement for all affected claiming periods. Record information from other claiming periods on Other Meal Claim Errors - Fiscal Action Required, S-8.

304a. Evaluate prior to the meal service if all required food items are creditable and available. The school should be advised and given the opportunity to add any missing item/component before the lunch is served. If the missing item/component is added, answer YES but record the deficiency and technical assistance which was provided in the comments section. The reviewer must observe that food items/components are creditable and available throughout the meal service for each serving line. Indicate if all food items/components are available. A NO answer is required if an item is not creditable or is not available.

b. If the school did not have all the required items/components available on each service line, describe the problem in the comments section.

c. Determine the number of meals affected which are counted and reported incorrectly for reimbursement. Record the number of nonreimbursable meals on S-1, 18 and S-7. If only one menu is offered, all meals are affected. If two or more menus are offered, refer to Coordinated Review Guidance for further information.

305a. Observe and indicate if all meals counted for reimbursement contain the required number of food items/components. If the reviewer observes one or more incomplete lunches counted as reimbursable, a NO answer is required.

b. If the school counted lunches which did not contain all the required items/components as reimbursable lunches, describe the problem in the comments section.

c. Record the total number of lunches observed and the number of incomplete lunches counted as reimbursable on S-1, 19. Incomplete meals in 304c. must not be included in 305c.

COORDINATED REVIEW

SCHOOL
CRITICAL AREAS OF REVIEW

SFA: --

School:

REVIEW AREAS	YES	NO	N/A	COMMENTS
Day of Review —				
Performance Standard 1 - Counting and Claiming				
301a. Does each type of food service line as observed provide an accurate count by eligibility category at the point of service (or approved alternate)?				
b. If NO, describe the problem and indicate why the problem was: ___ Nonsystemic ___ Systemic *				
302a. Were the lunch count totals by category correctly combined and recorded?				
b. If NO, describe the problem and indicate why the problem was: ___ Nonsystemic ___ Systemic *				
303a. Is fiscal action needed for problems identified in 301. and/or 302?				
b. If NO, describe reasons.				
Performance Standard 2 - Meal Components				
304a. Were all required food items/components available to all students participating in NSLP?				
b. If NO, explain.				
c. Record the number missing items/components on School Data, S-1, 18 and School Worksheet for Menu Missing Item/Component, S-7.				
305a. Did all observed lunches claimed for reimbursement contain the required number of food items?				
b. If NO, explain.				
c. Record number observed and incomplete on School Data, S-1, 19.				

* Response results in PS 1 Violation. Record NO on SFA-1, 4.

INSTRUCTIONS FOR S-4

REVIEW PERIOD

- 401a. Obtain a copy of the meal counts by category for each serving day of the review period and compare it to the day of review count. This comparison should be made to the number of meals reported by the school, prior to any daily meal adjustments which may have been made by the SFA as a result of edit checks, etc. However, if the reviewer determined that a nonsystemic error occurred in the school's day of review count, the validated counts on the day of review may be used. Evaluate the counts and indicate if unreasonable shifts occurred in the counts by category from the review month to the day of review. O-4 can be used to record this information.
- b. Determine and indicate if the explanation describes an acceptable meal count system.
- 402a. Determine and indicate if the school claimed more free meals on any day of the review period than the number of students eligible for free meals, S-1, 13. This determination should be made using the number of meals reported by the school, prior to any daily meal adjustments which may have been made by the SFA as a result of edit checks, etc.
- b. If YES, determine if there was an acceptable explanation for each day the free meals claimed were greater than the number of free eligible. Answer NA if there were no days where the free meal count exceeded the number of students eligible for free meals.
- 403a. Determine whether there were any days in the review month where the free meal count exceeded the attendance adjusted free eligible. To determine this, multiply the number of students eligible for free meals as determined in S-1, 13 by the attendance factor in S-1, 5. Round to the nearest whole number. Compare the number of free meals claimed each day of the review period to the number of adjusted free eligible.
- b. If YES, indicate if there were 50% or more of the serving days in the review period when free claims exceeded the number of attendance adjusted free eligible. Answer NA if there were no days where the free meal count exceeded the attendance adjusted free students.
- c. If YES, determine if there was an acceptable explanation for each day the free meals claimed were greater than the number of attendance adjusted free eligibles.
- 404a. Examine the patterns of the reported counts of free, reduced and paid meals for the review period and indicate if the counts are questionable for the population of students participating in the school's lunch program.
- b. Indicate, after considering the explanation provided, if the patterns indicate questionable meal count practices.
- 405a. Determine and indicate whether the SFA correctly used the counts by category in the Claim for Reimbursement. Part of this evaluation will depend on information obtained at the SFA level. O-4 can be used to record this information. Record the school's reported meal counts by category and the SFA's claim for this school in S-1, 15. If the school submits one monthly claim period report, validate the entire month by summing the daily totals by category. (Record the results in S-1, 15.) If the school submits other than a monthly claim period report, validate one of the school's report submissions, i.e., daily, weekly, bi-weekly. Combine the validated count with the other reports for the review period and record the results in S-1, 15. If the validated count is different than the school reported count, investigate and determine if the SFA correctly claimed meal counts for the school. If the validated count is different from the SFA claim for this school, record the difference in S-1, 15. Answer YES if the validated count matches the SFA's claim for this school. If the review validated lunch count did not match the SFA's claimed lunch counts answer NO and describe the problem.
- b. Investigate to determine where the problem occurred and if the causes are nonsystemic or systemic. Describe why the problem was nonsystemic or systemic and the fiscal and corrective action recommended.
- 406a. If YES, describe the fiscal action to be taken including the time period covered. When the reviewer is unable to identify actual meals incorrectly claimed and there is an unacceptable meal count practice in the review month, recalculation is required. If a systemic problem is identified which results in fiscal action, obtain information from Claims for Reimbursement for all affected claiming periods. Record information from other claiming periods on Other Meal Claim Errors - Fiscal Action Required, S-8. Answer NA only when no problems were identified in 401 - 405.
- b. If there are problems in 401 - 405 and fiscal action is not necessary, explain why in the comments section.
- 407a. Obtain a copy of the menu records and determine if all required food items/components were offered on each serving day of the review period.
- b. If a menu is deficient, investigate to determine if the menu occurred in other claiming periods and explain in the comments section. Record the menu, missing food item/component and number of meals claimed for reimbursement that were affected for the review period on the School Worksheet for Menu Missing Item/Component, S-7. Record deficient menus and meal count for other claiming periods on Other Meal Claim Errors - Fiscal Action Required, S-8.

COORDINATED REVIEW

SCHOOL
CRITICAL AREAS OF REVIEW

SFA:		School:		
REVIEW AREAS	YES	NO	N/A	COMMENTS
Review Period				
Performance Standard 1 - Counting and Claiming				
401a. Are lunch counts by category for the review period reasonable compared to lunch counts for the day of review? If NO, obtain the school's explanation and record in the comment section.				
b. Does this explanation describe an acceptable meal count system?		*		
402a. Were there any days when the free lunch count exceeded the number of free eligible students?				
b. If YES, was an acceptable explanation available for each day?		*		
403a. Were there any days when the free lunch count exceeded the number of attendance adjusted eligible students?				
b. If YES, was it 50% or more of the serving days?				
c. If YES, was there an acceptable explanation?		*		
404a. Were there patterns in the free, reduced or paid lunch counts which appear questionable? If YES, obtain the school's explanation and record in the comment section.				
b. After consideration of this explanation, do the patterns indicate questionable meal count practices?	*			
405a. Were the lunch counts by category correctly used in the Claim for Reimbursement?				
b. If NO, explain and indicate why the problem was: ____ Nonsystemic ____ ____ Systemic *				
406a. Is fiscal action needed for problems identified in 401. through 405?				
b. If NO, describe reasons.				
Performance Standard 2 - Meal Components				
407a. Did menu records or other documentation for the review period indicate that all required food items/components were offered?				
b. If NO, explain and record on the School Worksheet for Menu Missing Item/Component, S-7.				

* Response results in PS 1 Violation. Record NO on SFA-1, 4.

INSTRUCTIONS FOR S-5

CERTIFICATION AND BENEFIT ISSUANCE ERROR WORKSHEET

Enter the student's name and the eligibility determination made by the SFA or school. If an error is identified for any student who has withdrawn within or after the review period from this school, indicate original determination of free, reduced, or denied.

Enter the start date of the error. This may be the application approval date or the date the infraction first occurred. If the date is not known, enter a dash (-) in the space and note the date of the 31st operating day for this school in the space provided. If the student is receiving meal benefits based on direct certification check ☒ the D/R C/T column.

The reviewer should check ☒ the appropriate column to indicate the type of missing information:

CHILD NM: CHILD/HOUSEHOLD NAME
SS #: SOCIAL SECURITY NUMBER

CS #: FOOD STAMP OR AFDC CASE NUMBER
AD SIG: ADULT SIGNATURE

INC AMT SRC: INCOME AMOUNT/SOURCE

The reviewer should check ☒ the appropriate column to indicate the type of miscategorization error.

Check ☒ the error identified for students issued benefits for a category other than the one for which they were approved.

F/R: The school/SFA approved the application as free, but the reviewer determines it should be reduced.

RED REC; FRE: A student approved for reduced meals, but received free meals.

F/D: The school/SFA approved the application as free, but the reviewer determines it should be denied.

FRE REC; RED: A student approved for free meals, but received reduced.

R/D: The school/SFA approved the application as reduced, but the reviewer determines it should be denied.

INELIG REC; FRE: A student was ineligible for benefits or no application was on file, but received free meals.

R/F: The school/SFA approved the application as reduced, but the reviewer determines it should be free.

INELIG REC; RED: A student was ineligible for benefits or no application was on file, but received reduced price meals.

D/F: The school/SFA denied the application, but the reviewer determines it should be free.

ELIG NO BEN; FRE: A student eligible for free meals, but received no benefits.

D/R: The school/SFA denied the application, but the reviewer determines it should be reduced.

ELIG NO BEN; RED: A student eligible for reduced meals, but received no benefits.

Determine the errors which contribute to a PS 1 Violation. If a missing social security number or adult signature is obtained before the review is completed, do not count these errors as a PS 1 Violation. If other missing information is obtained before the review is completed, note the date corrected in the column provided. Enter in the PS 1 Violation column the category the student was claimed in and the category the student should be claimed.

Enter the date and indicate when the application became inactive (I) or Corrected (C).

Enter the number of serving days the application was in error up to the date it became inactive or corrected in the Review Period column. Fiscal year columns are available for use after corrective action is complete. The reviewer must obtain the number of serving days for each month the error(s) existed.

Count the number of students incorrectly receiving free benefits and reduced benefits and record each total in the box provided. The number of free meals claimed in error is obtained by adding the number of F-R and F-D entries in the PS 1 VIOL column. The number of reduced meals claimed in error is obtained by adding the number of R-D and R-F entries in the PS 1 VIOL column.

31st Operating Day for this School:

If the application has missing information only, do not check any boxes under miscategorized.

H - 30.1j

PAGE _____ OF _____

INSTRUCTIONS FOR S-6

PERFORMANCE STANDARD 1 - MEAL ERROR RATE DETERMINATION

Complete the estimate or actual column for all schools where any eligibility certification, benefit issuance or updating eligibility errors are identified and recorded on S-5.

ESTIMATE: Use of the estimate procedure provides an immediate meal error rate with a minimal amount of calculation. It is not necessary to count the number of serving days for each student in error to use the estimate procedure.

1. Using the information from S-5, 1 enter the total number of free students identified with a PS 1 Violation. From S-5, 2 enter the total number of reduced price students with a PS 1 Violation.
2. Enter the number of serving days in the review period from S-1, 6. Multiply the number of serving days times the number of free and reduced price students with a PS 1 Violation.
3. Enter the product of line 1 x line 2. This is the maximum number of lunches in the review period for students with PS 1 Violations. Add the number of free and reduced price lunches and enter in the column, Number of Lunches Claimed Incorrectly on SFA-1, 4.
4. Enter the average daily participation factors from S-1, 16. Use the appropriate free and reduced factors in the corresponding column, free or reduced. Multiply the ADP factor times the total number of serving days in the review period with eligibility certification, benefit issuance and updating eligibility errors.
5. Enter the product of line 3 x line 4. This is the adjusted number of lunches incorrectly claimed.
6. Add the adjusted number of free lunches and the adjusted number of reduced price lunches. Record the sum of these numbers.
7. From S-1, 15 (SFA Claim for this School for Review Period) enter the total free plus reduced price lunches claimed.
8. Divide the adjusted number of free plus reduced price lunches incorrectly claimed (6) by the total number of free plus reduced price lunches claimed for the review period (7) and multiply by 100. Round to 1 place beyond the decimal (example: $8.75 = 8.8$) and record the percent of lunches claimed incorrectly for this school in S-6, 8 and on SFA-1, 4. Do not round 9.95 - 9.99 to 10.0.

ACTUAL: The actual procedure is used after the SFA/school has taken corrective action on missing social security number or missing adult signature errors.

3. Using the information from S-5, 3 and 4 (F-R plus F-D), enter the maximum number of lunches in error for the review period in the free column. Follow the same procedure for reduced using S-5, 5 and 6. If the actual number of lunches for each student is obtained from source documentation, leave blank.
4. Enter the average daily participation factors from S-1, 16. Use the appropriate free and reduced ADP factors in the corresponding column, Free and Reduced. Multiply the ADP factor times the actual number of serving days in the review period with eligibility certification, benefit issuance and updating eligibility errors. If participation data is obtained for each student listed, leave blank.
5. Enter the product of item 3 x item 4 or the total number of actual lunches incorrectly claimed.
6. Add the number of free lunches and the number of reduced price lunches. Record the sum of these numbers in the column, Number of Lunches Claimed Incorrectly on SFA-1, 4.
7. From S-1, 15 (SFA Claim for this School for Review Period) enter the total free plus reduced price lunches claimed.
8. Divide the number of free plus reduced price lunches incorrectly claimed (6) by the total number of free plus reduced price lunches claimed for the review period (7) and multiply by 100. Round to 1 place beyond the decimal (example: $8.75 = 8.8$). Record the percent of lunches claimed incorrectly for this school in S-6, 8 and on SFA-1, 4. Do not round 9.95 - 9.99 to 10.0.

COORDINATED REVIEW

GENERAL AREAS OF REVIEW

☐ SFA LEVEL
☐ SCHOOL LEVEL

SFA:

School:

REVIEW AREAS	YES	NO	N/A	COMMENTS
Free and Reduced Price Process 501. Is the policy statement implemented as approved? 502. Does the system as implemented (reviewer observation) prevent overt identification of students receiving free and reduced price benefits at meal service or at any other time? 503. Was the verification process completed according to regulations? 504. Were letters of a potential reduction in benefits sent to families with students in this school as required? 505. Were any applications denied incorrectly? Record errors on the Certification and Benefit Issuance Error Worksheet, S-5.				
Meal Patterns 601a. Do the portion sizes appear to meet the minimum meal pattern requirements? b. If NO, does a review of records and procedures indicate that required amounts of food were available for service for each day of the review period? 602. Were lowfat unflavored and whole milk available throughout the serving period on all serving lines? 603. Is offer versus serve properly implemented? 604. Did the number of servings of bread/bread alternate meet the minimum weekly requirement?				

INSTRUCTIONS FOR G-2

CIVIL RIGHTS

701 - 708.

Determine, based on the answers to the questions in this section, if program benefits are made available and provided to all children without discrimination on the basis of their race, color, national origin, sex, age, or handicap, and that the SFA seeks to reach all portions of the population.

COORDINATED REVIEW

GENERAL AREAS OF REVIEW

SFA:		School:		
REVIEW AREAS	YES	NO	N/A	COMMENTS
Civil Rights				
701. Is a USDA/FNS approved poster displayed in a prominent place and visible to recipients?				
702. Is the correct nondiscrimination statement included on appropriate program materials?				
703. Has the SFA or State sent out a public release to community/grassroots organizations?				
704. Are foreign language translations available when a significant number of persons speaking only a foreign language is in the population?				
705a. Are procedures established to receive complaints alleging discrimination?				
b. Have there been any written or verbal complaints alleging discrimination?				
c. If YES, have these complaints been reported to the State agency?				
706. Do admission procedures used restrict enrollment by minority persons?				
707. Are incorrectly denied free and reduced price applications disproportionately composed of minority applications?				
708. Are handicapped students provided program benefits as prescribed by regulations (including special dietary needs), as appropriate?				

INSTRUCTIONS FOR G-3

MONITORING RESPONSIBILITIES

- 801a. Examine the documentation of the on-site review of the reviewed school to determine if the SFA had monitored the reviewed school's counting and claiming procedures by February 1.
 - b. Determine if there were errors in the meal counting and claiming procedures for the reviewed school that required corrective action.
 - c. If errors were identified in the meal counting and claiming procedures for the reviewed school, determine if an on-site follow-up review was conducted within 45 days to ensure that corrective action was implemented.
 - d. Review documented corrective action to determine if deficiencies cited were successfully corrected.
-
- 802a. Determine if a comparison is made of each reviewed school's daily counts to the attendance adjusted enrollment prior to the submission of a Claim for Reimbursement. If a comparison is made using an alternate method, describe the method used in the comments section.
 - b. Determine if the SFA has evaluated the daily counts for reasonableness prior to consolidation if they exceed the edit check.

REPORTING AND RECORDKEEPING

- 901. Determine if the SFA prepares and submits reports as required.
- 902. Determine if the school/SFA is retaining the appropriate records regarding program management for 3 years after the final Claim for Reimbursement for the fiscal year or until resolution of any audits.

COORDINATED REVIEW

GENERAL AREAS OF REVIEW

SFA:	School:
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REVIEW AREAS	YES	NO	N/A	COMMENTS
Monitoring Responsibilities 801a. Was the on-site review of the meal counting and claiming procedure completed prior to February 1? b. Was corrective action of the meal counting and claiming procedure required? c. If YES, was a follow-up review conducted within 45 days to ensure that the school implemented corrective action? d. Does documentation indicate that corrective action was successful? 802a. Prior to the submission of a claim, are attendance adjusted eligibles (or an alternate approved by the State agency) by category compared to daily meal counts for each school? b. Have daily counts that exceed the attendance adjusted eligible edit check (or alternate approved by the State agency) been evaluated prior to consolidation? If NO, explain.				
Reporting and Recordkeeping 901. Were reports submitted as required to the State agency? 902. Are records maintained for 3 years after the final claim for reimbursement for the fiscal year or until resolution of any audits?				

INSTRUCTIONS FOR O-3

1. Cross out any days including Saturday and Sunday that the meal service was not operating from the beginning through the end of the school year, and record the total number of serving days for each on the line at the bottom of the box.
2. Indicate the name of the school.

SFA: _____							SCHOOL: _____														
JULY							AUGUST							SEPTEMBER							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
						1			1	2	3	4	5						1	2	
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9	
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16	
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23	
23	24	25	26	27	28	29	27	28	29	30	31			24	25	26	27	28	29	30	
30	31																				
OCTOBER							NOVEMBER							DECEMBER							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
1	2	3	4	5	6	7				1	2	3	4						1	2	
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30	
														31							
JANUARY							FEBRUARY							MARCH							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	2	3	4	5	6					1	2	3						1	2	
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	10	11	12	13	14	15	16	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	17	18	19	20	21	22	23	
28	29	30	31				25	26	27	28	29			24	25	26	27	28	29	30	
														31							
APRIL							MAY							JUNE							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	2	3	4	5	6				1	2	3	4							1	
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8	
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15	
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22	
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29	
														30							

COORDINATED REVIEW
State Agency Addendum

**SCHOOL FOOD AUTHORITY
FINANCIAL MANAGEMENT
GENERAL AREAS OF REVIEW**

SFA:	DATE:
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REVIEW AREAS	SFA	SCHOOL	N/A	COMMENTS
903. LOCATION OF RECORDS (Check Appropriate Box) A. WVDE 43-10-32 (Annual Report) B. WVDE 43-10-30 (Claim for Reimbursement) C. WVDE 43-10-30S (Daily Record of Program Operations) D. WVDE 43-10-31 (Monthly Financial) E. Verification Summary F. Policy Statement G. Sponsor's Agreement H. Food and Supplies Inventory I. Donated Foods Inventory J. Equipment Inventory K. Equipment Depreciation L. Policies of Operation Handbook M. Invoices N. Payroll O. Shared Costs P. Invested Funds Q. Audit Reports - Internal R. Audit Reports - Independent S. Sponsor Monitoring Reports T. Procurement U. School Nutrition Policy 4321.1 Plan				

COORDINATED REVIEW
State Agency Addendum

SCHOOL FOOD AUTHORITY
FINANCIAL MANAGEMENT
GENERAL AREAS OF REVIEW

SFA:	DATE:
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REVIEW AREAS	
904. Are food service funds separated by:	A. Bank Account _____ B. Ledger or Project Code _____
905. Are provisions made for accounting of:	
A. Summer Food Service Program Funds	Yes _____ No _____ If no, explain _____
B. Nutrition Education and Training Funds	Yes _____ No _____ If no, explain _____
C. A La Carte Breakfast Funds	Yes _____ No _____ If no, explain _____
D. Milk Funds	Yes _____ No _____ If no, explain _____
906. A. Who initiates the acquisition of goods and services?	_____
B. Who receives the invoices for payment?	_____
C. Who evaluates expenditures to determine that they are allowable and/or proper program costs?	_____ _____
D. Who properly categorizes or codes the program related expenditures?	_____
E. Does the SFA use formal bidding procedures for food service purchases in the aggregate of \$10,000?	
Yes _____ No _____	If no, explain _____
F. Are documented informal or formal bidding practices used for purchases under \$10,000?	
Yes _____ No _____	If no, explain _____

COORDINATED REVIEW
State Agency Addendum

**SCHOOL FOOD AUTHORITY
FINANCIAL MANAGEMENT
GENERAL AREAS OF REVIEW**

SFA:	DATE:
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REVIEW AREAS

907. Is the SFA's food service program centralized _____ decentralized _____?

A. If centralized, how often is the food service account reconciled? _____ By whom? _____

B. What is the dollar value of invested food service funds? _____

How are these funds used? _____

C. What is the dollar value paid from county funds for:

1. Labor _____ 2. Other (specify) _____

908. A. What is the Fiscal Year end of the most recent Audit Report? _____

B. Does the audit disclose any material weaknesses or findings related to Child Nutrition Programs? Yes _____ No _____

Comments: _____

C. If yes, have the findings or weaknesses been corrected? Yes _____ No _____

Comments: _____

COORDINATED REVIEW
State Agency Addendum

SCHOOL FOOD AUTHORITY
FINANCIAL MANAGEMENT
GENERAL AREAS OF REVIEW

SFA: _____	DATE: _____
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REVIEW AREAS

SYSTEMS MANAGEMENT

909. Describe the system for handling disbursements (including time frames and names of responsible persons) of the reimbursement received.
910. Describe the system for receiving the WVDE 43-10-30S, (S-MASTER), Daily Record of Program Operations from each school. (Participation)
911. Describe the system for consolidating or preparing the WVDE 43-10-31, (F-MASTER), Monthly Financial Report (including time frames and names of responsible persons).
912. Are Quarterly Financial Reports submitted to the WVDE in a timely manner as required? Yes _____ No _____
If no, explain _____
913. Describe the system for preparing the WVDE 43-10-30, (C-MASTER), Claim for Reimbursement (including time frames and names of responsible persons).
914. Was the annual report submitted to the WVDE by September 30? Yes _____ No _____ If no, explain _____

COORDINATED REVIEW
State Agency Addendum

**SCHOOL FOOD AUTHORITY
FINANCIAL MANAGEMENT
GENERAL AREAS OF REVIEW**

SFA:

DATE:

REVIEW AREAS

EVALUATION

NOTE: To be completed by State Agency Staff (Based on the previous year's Annual Report).

915. A. Three months operating cost _____
B. Net Cash Resources _____
C. Do net cash resources exceed three months operating costs? _____
D. If so, is there an approved plan to reduce the net cash resources on file at the WVDE? _____
E. Are net cash resources less than one months operating costs? _____
F. If so, what provision is made for meeting expenditures? _____
916. A. Indirect costs earned by sponsor _____
B. Indirect costs reimbursed to sponsor _____
C. Did the sponsor overcharge the Food Service Program for indirect costs? Yes _____ No _____
Comment: _____
917. A. Cost per meal: Breakfast _____ Lunch _____
B. Charge per meal: Child Breakfast _____ Child Lunch _____
Adult Breakfast _____ Adult Lunch _____
C. Do the meal costs appear Low, Average or High?
918. Is the SFA subsidizing adult breakfasts and/or adult lunches? Yes _____ No _____ If yes, to what extent? _____

919. Are commodities included in the food cost at value or at cost? _____
920. Are physical inventories taken monthly, yearly, or not taken? _____

COORDINATED REVIEW
State Agency Addendum

SCHOOL FOOD AUTHORITY
GENERAL AREAS OF REVIEW

SFA:	DATE:
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REVIEW AREAS

921. Is the central office staffing adequate to meet the needs of the food service program? Yes _____ No _____

If no, explain.

922. Are county menus used throughout the SFA? Yes _____ No _____ If no, explain.

923. Has the SFA's Comprehensive Nutrition Plan for compliance with Policy 4321.1 been developed and implemented?

Yes _____ No _____

A. Does the Plan integrate nutrition services and curriculum? Yes _____ No _____

Comment _____

B. This SFA selected Option A _____ Option B _____

If Option A has been selected, what measures have been taken to document meeting the monthly goals?

COORDINATED REVIEW
State Agency Addendum

SCHOOL
GENERAL AREAS OF REVIEW

SFA: —	SCHOOL:
---------------	----------------

REVIEW AREAS

924. POINT OF SERVICE

A. Record the method used for determining the number of meals served by category. (Point of Service method used)

B. What alternate method would be used if the current method failed or could not be used?

C. Does the system:

1) Prevent overt identification?

2) Identify non reimbursable meals? (adults, and students meals, student teachers, etc.)

COORDINATED REVIEW
State Agency Addendum

SCHOOL
GENERAL AREAS OF REVIEW

SFA: _____

SCHOOL: _____

REVIEW AREAS

925. INTERNAL CONTROL

- A. Name and position of person(s) collecting food service money. (Children's payments, adult payments, extra milk, reimbursement check, etc.)

Name _____ Position _____

Name _____ Position _____

Name _____ Position _____

- B. Name and position of person responsible for totaling and documenting money collected:

Name _____ Position _____

- C. Name and position of person responsible for making the bank deposits of food service money collected:

Name _____ Position _____

- D. How often are the bank deposits made?

Daily _____ Weekly _____ Monthly _____ Other (specify) _____

- E. Is potential cash compared with actual cash collected on a daily basis? Yes _____ No _____ If no, determine the difference in figures. Comment if there is a significant difference.

- F. Is a Food Service Equipment Inventory on file at the School or SFA? _____

- G. If on file at the school, does the inventory reflect the proper expensing of equipment? Yes _____ No _____

Comment: _____

COORDINATED REVIEW
State Agency Addendum

SCHOOL
GENERAL AREAS OF REVIEW

SFA:

SCHOOL:

REVIEW AREAS

926. CASH MANAGEMENT

A. Does the school have a cash reconciliation system which reconciles cash collected with meal counts as recorded?

Yes _____ No _____

B. How often are cash collections reconciled with meal counts? Daily, Weekly, Monthly or other _____

C. Are discrepancies documented? Yes _____ No _____

D. Does the system safeguard cash, tickets, tokens, ID's, etc., from loss, theft or misuse?

927. Is the food service account reconciled with the periodic bank statement?

928. If a petty cash system is used, is it accounted for properly? Yes _____ No _____

929. A. If "other foods" are being sold during the instructional day, are the local revenues from these sales being accounted for? _____

B. Are the revenues used to benefit the students/school? Yes _____ No _____ Explain.

C. Are taxes remitted for the sale of vended items, if required? Yes _____ No _____

COORDINATED REVIEW
State Agency Addendum

**SCHOOL
MEAL QUALITY
GENERAL AREAS OF REVIEW**

SFA:

SCHOOL:

REVIEW AREAS

605. Is drinking water available to students in the dining area?

Yes _____ No _____ Explain _____

606. Do production records for the review period indicate sound record-keeping practices?

Yes _____ No _____ Explain _____

A. Do records indicate that planned portions met quantity requirements for the review period?

Yes _____ No _____ If no, explain _____

607. A. Are product fact sheets or Child Nutrition labels available for processed credible food items served during the review period? Yes _____ No _____

608. Which of the following steps have been taken to implement **Option B** of the county's Comprehensive Nutrition Plan for compliance with Policy 4321.1:

A. Provide 1.5 servings bread or bread alternate daily, or 10/12 servings weekly. Five servings per week contain 33% whole grain. Yes _____ No _____

B. Serve at least 1/4 cup fresh fruits and vegetables 5 times per week. Yes _____ No _____

C. Reduce sugar, fat and salt in the meals served to students. Yes _____ No _____

D. Offer 1/2 cup dried beans, dried peas or lentils weekly. Yes _____ No _____

E. Use lower fat meat/meat alternate choices. Yes _____ No _____

F. Other _____

COORDINATED REVIEW
State Agency Addendum

SCHOOL
MEAL QUALITY
GENERAL AREAS OF REVIEW

SFA:	SCHOOL:
-------------	----------------

REVIEW AREAS

609. A. What measures are being taken to address the needs of pregnant and lactating students? _____

B. What efforts are being made to inform students of meals available to meet the needs of pregnant and lactating students?

610. Are students' energy needs being met? Yes _____ No _____ If no, explain.

611. If Option A is being used, are the following goals being met?

- | | | | |
|--|-----------|----------|---------------|
| A. Calories provide one third of the RDAs. | Yes _____ | No _____ | Explain _____ |
| B. Sodium is equal to or less than 1100 mg. daily. | Yes _____ | No _____ | Explain _____ |
| C. Fiber provides an average of 6g. daily. | Yes _____ | No _____ | Explain _____ |
| D. Iron provides one third of the RDAs. | Yes _____ | No _____ | Explain _____ |
| E. Vitamin A provides one third of the RDAs. | Yes _____ | No _____ | Explain _____ |
| F. Vitamin C provides one third of the RDAs. | Yes _____ | No _____ | Explain _____ |
| G. Thiamin provides one third of the RDAs. | Yes _____ | No _____ | Explain _____ |
| H. Calcium provides one third of the RDAs. | Yes _____ | No _____ | Explain _____ |
| I. Percentage of calories from fat is 30% or less. | Yes _____ | No _____ | Explain _____ |

COORDINATED REVIEW
State Agency Addendum

SCHOOL
SCHOOL ENVIRONMENT
GENERAL AREAS OF REVIEW

SFA:

SCHOOL:

REVIEW AREAS

612. Is adequate time provided for:

Breakfast? Yes _____ No _____ If no, explain _____

Lunch? Yes _____ No _____ If no, explain _____

613. Does the dining area encourage student participation? (clean, well-maintained, attractive, social acceptability, seating capacity)

614. Do administrative practices encourage student participation (wait-time, supervision, scheduling, menus disseminated)?

615. Are "other foods" offered or sold during the school day meeting the Policy requirements for:

A. Fat, 8 grams per ounce or less? Yes _____ No _____

B. Sugar, less than 40%? Yes _____ No _____

C. Juice, 20% or more? Yes _____ No _____

616. Is documentation available for approved items sold or offered during the school day? Yes _____ No _____

If no, what steps will be taken to obtain the documentation and/or to remove the non-nutritious item(s)?

617. Are "other food" sales prohibited in the school dining area during the lunch period? Yes _____ No _____

If no, explain _____

618. Are nutrition services and curriculum being integrated? Yes _____ No _____ If yes, site examples _____

619. Is there evidence that the school community is involved in nutrition policies and practices?

Yes _____ No _____ If yes, site examples _____

COORDINATED REVIEW
State Agency Addendum

**FOOD SERVICE MANAGEMENT COMPANY
GENERAL AREAS OF REVIEW**

SFA:	DATE:
-------------	--------------

REVIEW AREAS
FOOD SERVICE MANAGEMENT COMPANY 1. Are all expressly-required contract criteria stated in the Food Service Management Company Agreement? (see checklist) 2. Describe the method used for determining the unit meal charge stipulated under the contract. 3. Was competitive sealed bids or formal advertising used in contracting with the Food Service Management Company? 4. Are the federally donated commodities received by the School Food Authority and made available to the Food Service Management Company used only to the benefit of the school's feeding operation and utilized therein?

WEST VIRGINIA DEPARTMENT OF EDUCATION
Charleston, West Virginia 25305
CHILD NUTRITION PROGRAMS
RECORD OF ON-SITE VISIT

(County Board of Education or Sponsoring Agency)

(Name of School, Center, Institution, Home, Camp or Program)

(Address of School, Center, Institution, Home, Camp or Program)

(Name and Title of Person(s) Contacted)

INITIAL PURPOSE OF VISIT:

☐ OUTREACH
☐ NEW PROGRAM
☐ PRE-APPROVAL
☐ REQUEST
☐ NET
☐ TECHNICAL ASSISTANCE
☐ MONITORING

AREA(S) CHECKED DURING VISIT: (Check One or More)

☐ Meal Quality	☐ Nutrition Education
☐ Meal Service	☐ Personnel Training
☐ Free & Reduced Price Meals	☐ Competitive Foods
☐ Records & Reports	☐ Meal Requirements
☐ Sanitation & Safety	☐ Equipment & Facilities
☐ Other (Designate)	

COMMENTS: (Based Upon a General Overview of the Area(s) Designated Above -- NOT a Detailed Analysis or Evaluation)

RECOMMENDATIONS: (Indication of Needed Emphasis, Based Upon a General Overview)

(Signature)

(Date of Visit)

OFFICE OF CHILD NUTRITION
PLANS FOR CORRECTIVE ACTION
SCHOOLS, INSTITUTIONS, CENTERS, AND SITES

SPONSOR'S ADDRESS

ATTENTION: _____

TOTAL ASSESSMENT _____

0379q

West Virginia Department of Education
Charleston, West Virginia 25305

MANAGEMENT EVALUATION

FREE AND REDUCED APPLICATIONS WITH NOTED EXCEPTIONS

[illegible]

ERROR CODES:

A - Approved for Free S/B Reduced
B - Approved for Free S/B Ineligible
C - Approved Reduced S/B Free
D - Approved Reduced S/B Ineligible

E - Denied S/B Free
F - Denied S/B Reduced
G - Insufficient Data
H - Was Not Approved

Person Conducting Evaluation

Date of Evaluation _____

WVDE - 43-10-13 ME

**MONITORING OF ACCOUNTABILITY
NATIONAL SCHOOL LUNCH PROGRAM**

1. Name of School _____
2. County/SFA _____
3. Current Enrollment _____
4. Average Daily Attendance _____ Today's Attendance _____
5. Number of applications correctly and currently approved. Free _____ Reduced _____
6. Changes in free/reduced price eligibility status were increased no later than three (3) operating days and decreased no later than ten (10) operating days from the final decision. Yes _____ No _____
7. The verification process has been started/completed according to regulations. Yes _____ No _____
8. The policy statement has been implemented as approved. Yes _____ No _____
9. The counting system yielded the actual number of lunches by category served to students. Yes _____ No _____
Today's Lunch Count: Free _____ Reduced _____ Paid _____ Total _____
10. The system for recording and reporting lunches served by category was correct. Yes _____ No _____
11. Lunch counts by category for the previous month were reasonable compared to lunch counts for the review day. Yes _____ No _____
12. Prior to the submission of a claim, attendance adjusted eligibles by category were compared to daily meal counts at the school. Yes _____ No _____
Discrepancies were noted. Yes _____ No _____
13. Required food items/components were available to all students participating in the NSLP. Yes _____ No _____
14. Lunches claimed for reimbursement contained the required number of food items, Yes _____ No _____, and required quantities. Yes _____ No _____
15. Lowfat unflavored and whole milk were available throughout the serving period/periods on all serving lines. Yes _____ No _____
16. Procedures have been established to receive complaints alleging discrimination. Yes _____ No _____
17. Comments regarding additional aspects of the Child Nutrition Program:

18. Was a Corrective Action Plan necessary? Yes _____ No _____
19. Reviewer _____ Date _____

0025Q
Revised 4/6/94



INSPECTION REPORT FOR FOOD SERVICE ESTABLISHMENTS

SCORE

NOTE: Based on an inspection this day, the items marked below identify the violation in operation or facilities which must be corrected by the next routine inspection or such shorter period of time as may be specified in writing by the health authority. Failure to comply with this notice may result in immediate suspension of your permits. An opportunity for an appeal will be provided if a written request for a hearing is filed with the health authority within the period of time established in this notice for the correction of violations.

[illegible]

Sanitarian

Page 7

H - 30.7

Item		Wt.
*0	Source, sound condition, no spoilage	5
	Original container, properly labeled	1

FOOD PROTECTION

*03	Pot. haz. food meets temp. requirements during storage, preparation, display, service, transportation	5
*04	Facilities to maintain product temp.	4
05	Thermometers provided conspicuous	1
06	Pot. haz. food properly thawed	2
07	Unwrapped and pot. haz. food not re-served	4
08	Food protection during storage, preparation, display, service, transportation	2
09	Handling of food (ice) minimized	2
10	In use, food (ice) dispensing utensils properly stored	1

PERSONNEL

*11	Personnel with infections restricted	5
*12	Hands washed and clean, good hygienic practices	5
13	Clean clothes, hair restraints	1

FOOD EQUIPMENT & UTENSILS

14	Food (ice) contact surfaces, designed, constructed, maintained, installed, located	2
15	Non-food contact surfaces, designed, constructed, maintained, installed, located	1
16	Dishwashing facilities, designed, constructed, maintained, installed, located, operated	2
17	Accurate thermometers, chemical test kits provided, gauge cock (i.e., IPS valve)	1
18	Pre-flushed, scraped, soaked	1
19	Wash, rinse water, clean, proper temp.	2
*20	Sanitization (rinse, clean, temp., concentration, exposure time), equipment/utensils sanitized	4
21	Wiping cloths, clean, use restricted	1
22	Food contact surfaces of equipment and utensils clean, free of abrasives, detergent	2
23	Non-food contact surfaces of equipment/utensils clean	1
24	Storage, handling of clean equipment/utensils	1
25	Single use, or articles, storage, dispensing	1
26	No reuse of single service articles	2

WATER

*27	Water source, safe, hot & cold water under pressure	5
-----	---	---

Item		
*28	Sewage and waste water disposal	

PLUMBING

29	Installed, maintained	
*30	Cross-connection, back siphonage, backflow	

TOILET & HANDWASHING FACILITIES

*31	Number, convenient, accessible, designed, installed	4
32	Toilet rooms enclosed, self closing doors; fixtures, good repair, clean; hand cleanser, sanitary towels hand drying devices provided, proper waste receptacles	2

GARBAGE & REFUSE DISPOSAL

33	Containers or receptacles covered, adequate number in sector/rodent proof, frequency, clean	2
34	Outside storage area enclosures properly constructed, clean, controlled incineration	1

INSECT, RODENT, ANIMAL CONTROL

*35	Presence of insects/rodents; outer openings protected, no birds, turtles, other animals	4
-----	---	---

FLOORS, WALLS & CEILINGS

36	Floors: constructed, drained, clean, good repair, covering in, stallation, dustless cleaning methods	1
37	Walls, ceiling, attached equipment: constructed, good repair, clean, surfaces, dustless cleaning methods	1

LIGHTING

38	Lighting provided as required, fixtures shielded	1
----	--	---

VENTILATION

39	Rooms & equip. vented as required	1
----	-----------------------------------	---

DRESSING ROOMS

40	Rooms, area, lockers provided, located, used	1
----	--	---

OTHER OPERATIONS

*41	Toxic items properly stored, labeled, used	5
42	Premises maintained free of litter, unnecessary articles, cleaning maintenance equip. properly stored, Authorized personnel	1
43	Complete separation from living/sleeping quarters, Laundry	1
44	Clean, soiled linen properly stored	1

*CRITICAL ITEMS REQUIRING IMMEDIATE ATTENTION

SECTION I
CIVIL RIGHTS

Public Notification	I - 1
Data Collection	I - 2
Review of Schools	I - 3
Procedures for Filing Complaints	I - 4
Definitions	I - 5
Exhibits	
Non Discrimination Poster	I - 30.1
Civil Rights Information	I - 30.2

PUBLIC NOTIFICATION

It is the School Food Authority's responsibility to train and monitor their schools in regard to Civil Rights Compliance.

Sponsors must ensure that all forms of communication and printed program information that are disseminated, especially the free and reduced price notification letters, application forms and public releases, include the following elements:

- The statement that program benefits and services are available to all children without regard to race, color, gender, disability, age or national origin; and
- The procedure for filing a complaint. Participants who feel they have been discriminated against should write to the Administrator, Food and Nutrition Service, USDA, Park Office Center, Alexandria, Virginia 22302.

Parents or guardians of students in schools participating in the school nutrition programs, as well as local minority and grassroots organizations should be informed of the availability of program benefits and services, the non discrimination policy and all significant changes in existing requirements that pertain to program eligibility and benefits.

A non discrimination poster must be displayed in the food service/dining area. [I - 30.1]
Posters are available at the West Virginia Department of Education.

The sponsor should make available to the public and to participants and potential participants upon request, information about program requirements and the procedures for filing a complaint in English and/or in the appropriate translation to non-English speaking persons.

DATA COLLECTION

United States Department of Agriculture (USDA) requires each school to keep on file the number of enrolled students by race, the number approved for free and reduced priced meals, and the number denied.

This information should be collected and on file in the school office by October 31 of each year. [I - 30.2]

The racial/ethnic categories for which this information must be collected are:

- American Indian or Alaskan native;
- Asian or Pacific Islander;
- Black (not of Hispanic origin);
- Hispanic; and/or
- White.

In the event that a household does not complete the voluntary self-determination on the free and reduced price meal application form, this information must be obtained by other methods. Other methods may include determination of the information by a school official through observation or personal knowledge. This information must be:

- Maintained on file for three years; and
- Procedures should be established to ensure that the information is made available only to authorized state and federal personnel during reviews or as part of Office of Management and Budget approved surveys.

REVIEW OF SCHOOLS

When a review of a school is performed, the following information should be reviewed:

- Approved and denied free and reduced price applications are maintained on file.
- Whether denied free and reduced price applications are disproportionately composed of minority applications.
- Whether there is a need for bilingual material or staff and how, if it exists, it can be addressed.
- Procedures that are used to determine and process civil rights complaints.
- Whether admission procedures used restrict enrollment by minority persons.
- United States Department of Agriculture or a Food Nutrition Service approved poster is displayed.
- Free and reduced price applications and letters provided to parents or guardians of participants and potential participants contain the non discrimination statement.

PROCEDURE FOR FILING COMPLAINTS

Right to File a Complaint - Any person alleging discrimination based on race, color, national origin, gender, age or disability has a right to file a complaint within 180 days of the alleged discriminatory action. Under special circumstances this time limit may be extended by office of Minority Affairs.

Acceptance - All complaints, written or verbal, shall be accepted by the designated person at the school and the School Food Authority and then forwarded to the Department of Education. It is necessary that the information be sufficient to determine the identity of the agency or individual toward which the complaint is directed, and to indicate the possibility of a violation. Anonymous complaints shall be handled as any other complaint.

Verbal Complaints - In the event that a complainant makes the allegation verbally or through a telephone conversation and refuses or is not inclined to place such allegations in writing, the person to whom the allegations are made shall write up the elements of the complaint for the complainant. Every effort should be made to have the complainant provide the following information:

- Name, address and telephone number or other means of contacting the complainant.
- The specific location and name of the entity delivering the program service or benefit.
- The nature of the incident(s) or action(s) that led the complainant to feel discrimination was a factor.
- The basis on which the complainant feel discrimination exists (race, color, national origin, gender, age or disability).
- The names, titles and addresses of persons who may have knowledge of the discriminatory action(s).
- The date(s) during which the alleged discriminatory action occurred, or if continuing, the duration of such actions.

DEFINITIONS

Grassroots Organization - Any organization at the local level which interacts with potential participants, such as a community program, civic organization, migrant group, church, neighborhood council, local chapter of the National Association for the Advancement of Colored People or other similar groups.

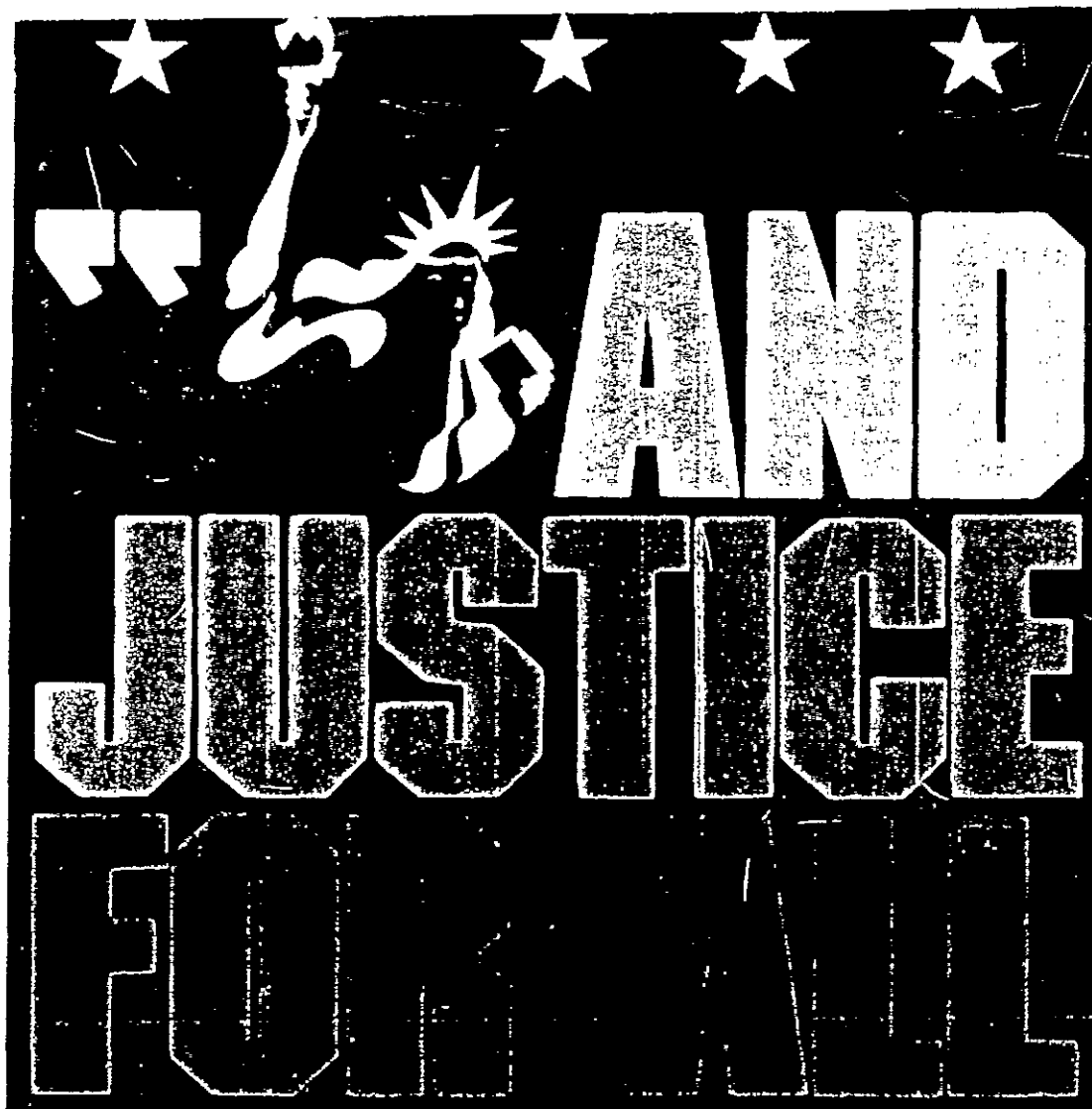
Minority - A person or group of persons belonging to the protected classes covered by Title VI of the Civil Rights Act of 1964, as amended, and later specified by the Office of Management and Budget (OMB) as:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black (not of Hispanic Origin)
- Hispanic

Racial/Ethnic Categories - The designation of participants/potential participants by race, color or national origin from the collection and reporting of racial/ethnic data as follows:

- American Indian or Alaskan Native - A person having origins in the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.
- Asian or Pacific Islander - A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands and Samoa.
- Black (not of Hispanic Origin) - A person having origins in any of the black racial groups of Africa.
- Hispanic - A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origins, regardless of race.

Complaint - A verbal or written allegation of discrimination which indicates that any National School Lunch Program, School Breakfast Program or Special Milk Program is administered or operated in such a manner that it results in disparity of treatment, benefits or services being provided to a child or group of children because of their race, color, national origin, gender, age or disability.



This facility is operated in accordance with U.S. Department of Agriculture policy, which prohibits discrimination on the basis of race, color, sex, age, handicap, religion, or national origin.

Any person who believes he or she has been discriminated against in any USDA-related activity should write to:

Cơ sở này được điều khiển theo chính sách của Bộ Canh-Nông Hoa-Kỳ, cấm không ai được kỳ thị về nòi giống, màu da, nam nữ, tuổi tác, tật nguyền, tôn giáo hay xứ sở gốc gác. Bất cứ người nào cho là mình đã bị kỳ thị gì trong một hoạt động nào liên hệ đến Bộ Canh Nông Hoa-Kỳ thì cứ viết thư báo cho:

Las operaciones de estas instalaciones están en conformidad con la política del Departamento de Agricultura de los Estados Unidos que prohíbe la discriminación en base de raza, color, sexo, edad, impedimento físico, religión u origen nacional.

Toda persona que piensa ha sufrido discriminación en cualquier actividad relacionada con el Departamento de Agricultura debe escribir a:

本處係依美國農業部政策經營, 禁止基於種族, 膚色, 性別, 年齡, 殘障, 宗教, 或籍貫之歧視。
凡認為在美國農業部有關之活動中遭受歧視者, 應即函告:

Administrator
Food and Nutrition Service
3101 Park Center Drive
Alexandria, VA 22302

CIVIL RIGHTS INFORMATION

DATA BY RACE ⇒	AMERICAN INDIAN OR ALASKAN	ASIAN OR PACIFIC ISLANDER	BLACK (NOT HISPANIC)	HISPANIC	WHITE (NOT HISPANIC)	TOTAL
ENROLLED*						
APPLICATIONS APPROVED FREE ⇒						
APPLICATIONS APPROVED REDUCED ⇒						
APPLICATIONS DENIED						

Please complete as of October 31 of each year and keep on file for review by a West Virginia Department of Education Representative during visits to the school.

*Optional

SECTION J
FOOD SERVICE POLICIES

Meal Service	J - 1
Meal Service to Adults	J - 2
Meal Service for Children with a Disability and Students with Special Dietary Needs	J - 3
Disciplinary Practices And Meal Service	J - 4
Meal Service for Senior Citizens	J - 5
Emergency Feeding	J - 6
Charging Meals	J - 7
Lost, Stolen and Misused Tickets	J - 8
Use of Foods, Supplies and Equipment	J - 9
Safety and Sanitation	J - 10
Sale of Nutritious Foods	J - 11
Requirements and Accountability for Foods and Beverages Sold/Served ..	J - 12
Definitions	J - 13
Guideline for Selection of Snack Items	J - 14
Guideline for Selection of Juice or Juice Products	J - 15
Meals for Secondary Students Attending Colleges	J - 16
Meals for Field Trips	J - 17
Exhibits	
Standards for School Nutrition, Policy 4321.1	J - 30.1
Prototype Letter for Children with a Disability	J - 30.2
Prototype Letter for Children with Special Dietary Needs	J - 30.3

MEAL SERVICE

Not less than three hours nor more than four and one-half hours should elapse between the service of the school breakfast and the school lunch. A minimum of ten minutes of eating time (after going through the serving line) is to be provided for the school breakfast and a minimum of twenty minutes eating time (after going through the serving line) for the school lunch.

All foods available at the meal period should be a part of the menu and be included in the regular meal price. If food is available, second servings may be offered at no charge after the student has eaten the major portion of the meal. Adults shall not remove food from students trays for the consumption of any other person.

If "super meals" or choice of milk (i.e. milk shakes) are offered, the student who is eligible for free meals must be offered the same service as the paying student at no cost and the student eligible for reduced price meals must be offered the same service at no additional cost.

Second meals consumed by students shall be reported as non-reimbursable and recorded in column 11 on form WVDE 43-10-30S. [G - 30-.1]

MEAL SERVICE TO ADULTS

Adults shall be served the same menu served to students in portions not to exceed that of secondary students. No special foods shall be prepared for adults. Sale of a la carte items to adults is not permitted, except those items available for students for breakfast a la cart sales. Adult meals are not reimbursable.

Meals served to adults who are directly involved in the operation and administration of child nutrition programs may, at the discretion of the School Food Authority (SFA), be furnished at no charge. These meals should be shown as program adult meals (Column 6 or 12 on form 43-10-30S). School employees who supervise during the lunch or breakfast periods, sell tickets or perform other duties directly related to the food program should do so on a contract basis as described in State Code 18a-4-14 and 18a-4-16.

Meals served to adults not directly involved in the child nutrition program such as administrators, teachers, aides, student teachers and other persons working or visiting in the school may not be served free of charge unless the cost of the meal is covered from another source. This meal should be reported as non-program adult meals (Column 5 or 11 on form 43-10-30S).

MEAL SERVICE FOR CHILDREN WITH A DISABILITY AND STUDENTS WITH SPECIAL DIETARY NEEDS

Schools shall make substitutions in foods for students with a disability under 7 CFR Part 15b and whose disability restricts their diet. Schools may make substitutions in foods for nondisabled students who are unable to consume the regular lunch because of medical or other special dietary needs.

These meals/substitutions must be provided at no additional charge or free or reduced to those with free and/or approved reduced price applications on file. Special equipment for preparation and utensils for eating are allowable costs.

Schools shall require parents/guardians of children with or without a disability who have need of special meals to provide medical certification that 1) verifies special meals are needed because of the child's disability or medical condition and 2) prescribes the alternate foods and forms of foods needed to meet the child's special dietary needs. Substitutions shall be made on a case-by-case basis. Such statement shall, in the case of a student with a disability, be signed by a physician or, in the case of a student without a disability, by a recognized medical authority. The statement must be updated each school year. Exhibit J - 30.2 and J - 30.3 are prototype letters that may be used by the School Food Authority (SFA).

The Standards for School Nutrition, Policy 4321.1, requires additional foods be provided for pregnant and lactating students as specified in Section 4.1 Lunch Implementation Option A. This shall be implemented with TIER II during the 1994 school year. When breakfast and lunch are considered together or in combination with a snack, the school shall provide:

- 1) a total of 5 oz. of protein foods, 1 oz. of which shall be 1 oz. cheese, 1 cup yogurt or 8 oz. fluid milk;
- 2) 3 servings from the grain group, preferably from whole grains;
- 3) 1 - 1/4 cups from the fruit and vegetable group; and
- 4) 16 oz. from the milk group.

In these additional foods the following option shall be allowed:

- 1 cup of fruit in place of one serving of the grain group once a week.

Exhibits J - 30.1, The Standards for School Nutrition, Policy 4321.1, which contains Sections 4.1, 4.2 and 4.3 provide a more detailed description of component requirements.

DISCIPLINARY PRACTICES AND MEAL SERVICE

In no case shall a student be denied a meal or part of a meal or served a different type of meal as a means of discipline or as a result of discipline for violation of school policies.

In schools where offer versus serve is practiced or where choices of menus or menu items are offered, the student being disciplined and/or the student in detention hall must have the identical type meal service available to other students.

MEAL SERVICE FOR SENIOR CITIZENS

Schools are encouraged to initiate programs to provide meals for senior citizens. Payment of the adult meal rate must be made either by the individual receiving the meal or by partial or no payment by the recipient with the remainder paid by another agency.

EMERGENCY FEEDING

If school food service facilities are utilized in emergency situations, supplies and foods on hand (both purchased and donated) may be used for emergency feeding. Accurate inventory records must be maintained and replacement or repayment must be requested from the appropriate disaster relief agency.

CHARGING MEALS

In most situations, particularly in the case of elementary and middle schools, there should be some provision for charging meals and/or milk on an emergency short-term basis. The practice of charging meals over long periods of time in lieu of making application for free or reduced price meal service should be avoided. Schools may develop systems for billing families on a regular basis. However, schools are not required to provide meals or milk indefinitely when payment has not been made in the time determined to be reasonable by the local school officials. Schools are encouraged to obtain completed free and/or reduced price meal applications when financial need is obvious.

LOST, STOLEN AND MISUSED TICKETS

Local school officials should develop procedures to handle the problem of lost, stolen and/or misused tickets and should initiate appropriate corrective measures. These officials should distinguish between genuine cases of lost or stolen tickets from willfully fraudulent "sold ticket/misuse" situations, and take appropriate action. This may include, when necessary, the same disciplinary measures that would be used in resolving any other infraction of school standards and rules of conduct.

The decision to replace a ticket belongs to the school regardless of the circumstances. The "lost" or "stolen" ticket may be replaced or the school may choose one of several options. The options may include accompanying or monitoring all students who report lost or stolen tickets - needy and non-needy - through the food service line; providing a list of those students' names to the cashier; or any locally developed measure that complies with the legislated boundaries. Regardless of which option is chosen, the eligible needy student must be provided with the free or reduced price meal.

Schools may also initiate a procedure which would sanction an ineligible student for attempting to use a ticket to obtain a meal when that ticket was lost, stolen or when it was determined that the ticket was otherwise obtained by fraud. In developing corrective measures, schools need only ensure that free and reduced price recipients not be overtly identified and that they not be charged for any replacement ticket.

USE OF FOODS, SUPPLIES AND EQUIPMENT

Left-over foods, United States Department of Agriculture (USDA) donated foods or purchased foods shall not be sold, traded or given away, except as used in child nutrition programs. No foods, including left-overs, shall be removed from the school food service area by food service personnel either for their own use or for the use of others, except for school sponsored activities.

All equipment and supplies shall be properly inventoried and shall not be removed from the school food service area without appropriate authorization. Records must be maintained verifying the date a piece of equipment was loaned from the food service department, the date returned, the principal's signature and the name of the borrower.

It is recommended that individuals not make purchases from vendors in the schools. If such purchases are made, items delivered may not be stored in the food service equipment. It is also recommended that no personal items be stored in food service equipment or storage areas.

Food for outside functions (not school sponsored) shall not be prepared in the kitchen during the regular work day. School food service facilities may be used by school or community groups for food service when authorized by the school administrator. Entrepreneurs or school personnel may not use food service facilities for individual benefit. At least one school food service employee shall be in charge to ensure control over the child nutrition program foods and for proper use and care of equipment and facilities. Wages for the school food service personnel shall be paid by the organization using the facilities in accordance with current wage and hour regulations and School Food Authority (SFA) policy.

SAFETY AND SANITATION

To avoid health and safety hazards, only authorized school food service personnel shall be allowed in the food preparation and serving areas. Use of tobacco shall not be permitted in the school building or property.

It is recommended that food service personnel wear clean uniforms. Approved hair restraints are required.

Students working in the food service area must wear hair restraints and a smock or full apron. These garments shall be stored in the food service area and shall be laundered as needed.

To ensure that foods are served at proper temperatures, plates or trays should be filled only as the students pass through the line. In schools, family style is not permitted for students and/or adults, except for Head Start and preschool child care programs.

Extreme care should be taken during preparation and serving of food to avoid contamination or spread of communicable diseases.

SALE OF NUTRITIOUS FOODS

When schools sell nutritious food items during the school day, West Virginia Board of Education regulations specify that no food other than the school lunch, breakfast and milk or milkshakes shall be sold or served in the lunchroom during the meal period.

Milk may be sold to a student at any time during the meal period. Proceeds from milk or milkshakes sold in the lunchroom at the time of meal service must be deposited to the child nutrition account.

REQUIREMENTS AND ACCOUNTABILITY FOR FOODS AND BEVERAGES SOLD/SERVED

The West Virginia Board of Education has adopted the Standards for School Nutrition, Policy 4321.1, which sets requirements for all foods and beverages made available on school premises during the school day. The school day is defined as the time between the arrival of the first child at school and the end of the last scheduled instructional period.

Vended food items may be sold if certification is on file at the school. Certification may be in the form of a laboratory analysis of a specific item and shall be written on vendor/company letterhead and signed by an authorized company official. If nutrition labels are used as documentation, the School Food Authority (SFA) must provide access to that information at the time of review. Refer to guidelines for product selection.

The state board regulation must not be confused with a more recent one passed by United States Department of Agriculture (USDA). The guidelines adopted by West Virginia Department of Education (WVDE) are more restrictive and supersede those of USDA. Schools shall be guided by definitions contained herein rather than information furnished by sales representatives.

No candy, soft drinks, chewing gum or flavored ice bars will be sold or served. No foods and beverages containing 40% or more sugar by weight or juice products containing less than 20% real juice will be sold or served.

All "other foods" available during the instructional day shall reflect the Dietary Guidelines for fat by limiting the number of fat grams to not more than 8 per one ounce serving, or meet the USDA standard for a meal component. Other foods are defined as any food or beverage, other than those served as part of the school meal, including snacks from vending machines, and foods sold during school hours for fund-raising purposes and foods for parties. Other foods do not include those brought to school by individual students for their own consumption.

After-school programs which provide supplemental meals to children shall comply with standards of the policy.

County boards of education and local school administrators shall provide a nutritionally healthful school environment for students and accountability for all funds from food and beverage sales. Enforcement systems shall include, but are not limited to:

The Performance Based Accreditation System that includes (a) specified compliance standard(s) and verification procedures.

Monitoring sales and service of "other foods". Sanctions for non-compliance shall include transfer of purchasing authority for food and beverage items from the school to the county level.

DEFINITIONS

The Standards for School Nutrition, Policy 4321.1, adopted by the State Board of Education defined the following foods and beverages.

1. Candy is defined as any food that, as served in its finished form, contains, by weight, 40 percent or more sugar (in crystalline form or in solution as syrup, both monosaccharides and disaccharides) and/or other sweetening agents, or any food product commonly referred to as "candy".
2. Soft drinks as defined in Section 1, Article 19, Chapter 11 of the Code of West Virginia: (a) "Bottled Soft Drinks" which are all beverages, whether carbonated or not, or any preparations commonly referred to as "soft drinks" of whatever kind, which are closed and sealed in glass, paper or any other type of container, envelope, package or bottle, whether manufactured with or without the use of any syrup, and (b) any beverages, whether bottled or not, which are prepared from soft drink syrups and powders by the mixing thereof with carbonated or plain water, ice, fruit, milk or any other product suitable to make a soft drink. Except that flavored, fluid milk, as defined in regulations promulgated by United States Department of Agriculture (USDA) governing Child Nutrition Programs, and beverage mixtures which, in the finished product, contain at least 20 percent natural fruit or vegetable juices may be sold.
3. Chewing gum is defined as a preparation of chicle or other plastic substance sweetened and/or flavored for chewing.
4. Flavored ice bar is defined as a frozen confection consisting of water mixed with flavored syrups and/or powders, sugars and/or other sweetening agents, binders, stabilizers and/or emulsifiers.
5. Other foods are defined as any food or beverage, other than those served as part of the school meal, including snacks from vending machines, and foods sold during school hours for fund-raising purposes and foods for parties. Other foods do not include those brought to school by individual students for their own consumption.

GUIDELINES FOR SELECTION OF SNACK ITEMS

1. The West Virginia Board of Education mandate [J - 30.1] on the sales of foods in schools supersedes any United States Department of Agriculture (USDA) regulation. School personnel should always verify information furnished by salespersons.
2. It is the responsibility of school personnel to control what products are placed in vending machines, school stores and/or snack bars. School personnel should obtain product analysis information from vendors upon which the decisions are made. These analysis should be written on vendor/company letterhead and signed by an authorized company official. The criteria for "other" foods that are sold or served during the school day include:
 - have 8 grams or less of fat per one ounce serving,
 - OR
 - meet the USDA standard for a meal pattern requirement,
 - AND
 - contain less than 40% sugar by weight.
3. Learn to read labels. Standards require that labels on packaged food identify the contents of the product. Called "Nutrition Facts", the label lists the nutrients by gram weight, as well as other pertinent information.

The total grams of fat per serving are given and can be useful to determine if a food may be served.

Sugars are listed as part of the total carbohydrates in the food. By comparing the grams of sugars to be total weight of the serving, it may be possible to determine the percent of sugars in a product.

GUIDELINES FOR SELECTION OF JUICE OR JUICE PRODUCTS

The West Virginia Board of Education Policy 4321.1 supersedes any United States Department of Agriculture (USDA) regulations. Any juice or juice product sold in the school must contain a minimum of 20% real juice. The product must be labeled or the principal must have proof of the percent of juice content in each product sold. The proof must be written on company/vendor letterhead and signed by an authorized company official.

The sale or serving of foods or beverages containing 40% or more added sugar by weight is prohibited.

MEALS FOR SECONDARY STUDENTS ATTENDING COLLEGES

In some cases high school students participate in a special study program at a college. "Take-out" school lunches may be served by their appropriate schools and claimed for reimbursement. The provision of these lunches, however, would be at the option of the School Food Authorities (SFAs) since they are only required to make lunches available to eligible students who are present during the lunch service periods.

The colleges and universities participating in the special study program are not eligible to participate in the National School Lunch Program (NSLP) since they do not meet the definition of "school" under program regulations. Therefore, any meals provided to the high school students by the colleges would not be eligible for NSLP reimbursement, even if the high school compensated the college for the cost of the meal.

MEALS FOR FIELD TRIPS

Breakfast and/or lunch meals may be provided and claimed at the eligible rates of reimbursement for students participating in field trips and other off-site functions. The following conditions must be met:

- 1) The off-site function is an official school-sponsored one;
- 2) Proper measures are taken to avoid food contamination and spoilage;
- 3) The meals served meet United States Department of Agriculture (USDA) meal pattern requirements; and
- 4) Accurate records by category and count are maintained.

TITLE 126
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF EDUCATION
CHAPTER 18-2
SERIES 86
POLICY 4321.1

TITLE: Standards for School Nutrition

SECTION 1. GENERAL

- 1.1 Scope - This legislative rule establishes nutrition standards for foods served and/or sold to students in schools during the school day. The procedures relate both to nutritional standards of school meals and additional snacks, including foods and beverages sold or served to students.
- 1.2 Authority and Related Code Citation(s) - WV Code §18-2-5 Constitution Article XII, §2.
- 1.3 Filing Date - September 28, 1994
- 1.4 Effective Date - October 28, 1994
- 1.5 Repeal of Former Rules - None - This is a revision of former rules filed in 1982.

SECTION 2. PURPOSE

- 2.1 Good nutrition enhances learning and the quality of life. This plan reflects an integrated approach to ensuring a school environment that promotes optimal nutrition for students. Successful dietary changes must occur gradually. The intent of the policy is to enable schools to continue to provide students with choices while implementing changes progressively. For this reason, the policy implementation follows a tiered approach with target dates specified for each tier.

SECTION 3. OPERATIONAL DEFINITIONS, FOOD SALES AND SERVICE

- 3.1 School day is defined as the time between the arrival of the first child at school and the end of the last scheduled instructional period.
- 3.2 Candy is defined as any food that, as served in its finished form, contains, by weight, 40 percent or more sugar (in crystalline form or in solution as syrup, both monosaccharides and disaccharides) and/or other sweetening agents, or any food product commonly referred to as "candy".

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- 3.3 Soft drinks as defined in Section 1, Article 19, Chapter 11 of the code of West Virginia: (a) "Bottled Soft Drinks" that are all beverages, whether carbonated or not, or any preparations commonly referred to as "soft drinks" of whatever kind, that are closed and sealed in glass, paper or any other type of container, envelope, package or bottle, whether manufactured with or without the use of any syrup, and (b) any beverages, whether bottled or not, that are prepared from soft drink syrups and powders by the mixing thereof with carbonated or plain water, ice, fruit, milk or any other product suitable to make a soft drink. Except that flavored, fluid milk, as defined in regulations promulgated by USDA governing Child Nutrition Programs, and beverage mixtures that, in the finished product, contain at least 20 percent natural fruit or vegetable juices are not considered soft drinks.
- 3.4 Chewing gum is defined as a preparation of chicle or other plastic substance sweetened and/or flavored for chewing.
- 3.5 Flavored ice bar is defined as a frozen confection consisting of water mixed with flavored syrups and/or powders, sugars and/or other sweetening agents, binders, stabilizers and/or emulsifiers.
- 3.6 Other foods are defined as any food or beverage, other than those served as part of the school meal, including snacks from vending machines, and foods sold during school hours for fund-raising purposes and foods for parties. Other foods do not include those brought to school by individual students for their own consumption.
- 3.7 Enrollment is defined as "head count".
- 3.8 Bottled water is defined as "water, bottled drinking water 100% pure natural spring water containing no additives."

SECTION 4. NUTRITION STANDARDS FOR SCHOOL NUTRITION PROGRAMS

All foods or beverages made available on school premises during the school day must meet the requirements of this policy.

County Boards of Education shall select for each school one of two implementation options for lunch: Option A (4.1), based on existing USDA meal patterns plus nutrient analysis standards; or Option B (4.2), on a WVDE Lunch Meal Pattern standard, following a phase-in approach identified as Tier I, Tier II and Tier III. The Breakfast Meal Pattern proposes a single implementation option (4.3). After-school programs which provide supplemental meals to children shall comply with standards of the policy. The sale or service of foods containing 40% or more added sugar by weight is prohibited (3.2).

No candy, soft drinks, chewing gum or flavored ice bars will be sold or served. No foods or beverages containing 40% or more sugar by weight will be sold or served. Any juice or juice product sold or served must contain a minimum of 20% real juice.

By 1994, all "other foods" available during the instructional day shall reflect the Dietary Guidelines for fat by limiting the number of fat grams to not more than 8 per one ounce serving, or meet the USDA standard for a lunch component.

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SECTION 4.1 LUNCH IMPLEMENTATION OPTION A

TIER I BY 1993	TIER II BY 1994	TIER III BY 1995
Recommend that school lunches meet existing USDA meal pattern requirements and averaged over a period of one month, provide: • at least one-third of students' RDAs for calories, protein, calcium, iron, thiamine, vitamins A and C — and • limited calories from fat (range of 30 to 35 percent) — and • limited sodium — (1100 mgs maximum) and • at least 6g of naturally occurring dietary fiber and • offer water —	Require that school lunches meet Tier I recommendations. Require additional foods be provided to pregnant or lactating students so that breakfast and lunch together, or in combination with a snack, provide: • a total of 5 oz. of protein foods, 1 oz. of which shall be 1 oz. cheese, 1 cup yogurt or 8 oz. fluid milk; • 3 servings from the grain group, preferably from whole grains; • 1 - 1/4 cups from the fruit and vegetable group; and • 16 oz. from milk group. In these additional foods, the following option shall be allowed: 1) 1 cup of fruit in place of one serving of the grain group once a week.	Same as Tier II, except limit calories from fat to no more than 30%.

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Nutrition Standards for School Nutrition

SECTION 5. A LA CARTE SALES

Only meal components may be sold as a la carte items for breakfast, and only fluid milk, milkshakes and bottled water may be sold as a la carte items for lunch.

SECTION 6. AVAILABILITY OF DRINKING WATER

All Student dining facilities shall contain a drinking water receptacle, or water shall be offered with meals for student consumption.

SECTION 7. ADEQUATE TIME FOR MEAL CONSUMPTION

Adequate time shall be allowed for student meal consumption. Minimum time allowance (eating time for each student after being served the meal) for student consumption of meals shall be ten minutes for breakfast and twenty minutes for lunch.

7.1 Snack Options For Meals

Schools may choose to allow adequate time for consumption of increased volume of food by extending the meal period or by providing a snack under the following stipulations:*

7.1.1 The snack is offered as a separate item at breakfast or lunch for consumption later.

7.1.2 The snack item may be a single serving of bread/bread alternate, fruit or vegetable.

7.1.3 If the snack option is chosen, school administrators and teachers should support this effort by providing students with the time and opportunity to eat these snacks during the day.

7.1.4 Timing of the snack should be determined by individual school choosing this option.

7.1.5 The price of the meals may not be increased solely as a result of choosing this option.
(Note: No federal reimbursements exist for snacks outside the lunch or breakfast meals).

7.1.6 Schools choosing this snack option may elect to sell the same snack foods to students who do not purchase a school meal.

*Prior USDA approval is required to provide the fruit/vegetable snack option for lunch in Tiers II and III.

SECTION 8. COMPLIANCE/ACCOUNTABILITY

County boards of education and local school administrators shall provide a nutritionally healthful school environment for students and accountability for all funds from food and beverage sales. Compliance evaluation shall include, but is not limited to:

8.1 The Performance Based Accreditation System that includes (a) specified compliance standard(s) and verification procedures.

West Virginia Department of Education
Nutrition Standards for School Nutrition Programs

SECTION 4.2 LUNCH IMPLEMENTATION OPTION B

COMPONENT	TIER I by 1993		TIER II by 1994***		TIER III BY 1995	
	Grades K-3	Grades 4-12	Grades K-3	Grades 4-12	Grades K-3	Grades 4-12
FRUIT OR VEGETABLE** • offer fresh produce whenever possible	1/2 cup (at least 1/4 cup fresh 3 times/week)	3/4 cup (at least 1/4 cup fresh 3 times/week)	3/4 cup (at least 1/4 cup fresh 3 times/week)	3/4 cup (at least 1/4 cup fresh 5 times/week)	1 cup (at least 1/4 cup fresh 5 times/week)	1 1/4 cup (at least 1/4 cup fresh 5 times/week)
MEAT/MEAT ALTERNATE • emphasize lean and lower sodium choices • serve dried beans, dried peas or lentils at least once/week	1 1/2 oz. (at least 1/4 cup dried beans, dried peas or lentils/week = 1/2 oz. M/MA)	2 oz. (at least 1/4 cup dried beans, dried peas or lentils/week = 1/2 oz. M/MA)	1 1/2 oz. (at least 1/2 cup dried beans, dried peas or lentils/week)	2 oz. (at least 1/2 cup dried beans, dried peas or lentils/week)	1 1/2 oz. (at least 1/2 cup dried beans, dried peas or lentils/week)	2 oz. (at least 1/2 cup dried beans, dried peas or lentils/week)
BREAD/BREAD ALTERNATE** • emphasize whole grain products	2/day or 10/week (at least 3 servings/week are whole grain or all B/BAs contain at least 25% whole grain)	2/day or 10/week (at least 3 servings/week are whole grain or all B/BAs contain at least 25% whole grain)	1.5/day and 10/week (at least 5 servings/week contain at least 33% whole grain)	1.5/day and 12/week (at least 5 servings/week contain at least 33% whole grain)	1.5/day and 10/week (at least 5 servings/week contain at least 33% whole grain)	1.5/day and 12/week (at least 5 servings/week contain at least 33% whole grain)
MILK • offer lower fat choices	8 fl. oz.	8 fl. oz.	8 fl. oz. * offer only milk with 2% or less butterfat	8 fl. oz. * offer only milk with 2% or less butterfat	8 fl. oz. * offer only milk with 2% or less butterfat	8 fl. oz. * offer only milk with 2% or less butterfat
WATER • Encourage adequate water consumption	offer water	offer water	offer water	offer water	offer water	offer water

* Requires prior approval from USDA

** Snack Option may be chosen (see 7.1)

*** Require additional foods for pregnant and lactating students as specified in "Lunch Implementation Option A"

West Virginia Department of Education
Nutrition Standards for School Nutrition Programs

SECTION 4.3 BREAKFAST IMPLEMENTATION OPTION

COMPONENT	TIER I by 1993	TIER II by 1994***	TIER III by 1995
	Grades K-12	Grades K-12	Grades K-12
MILK	8 fl. oz.	8 fl. oz.	8 fl. oz.
• Offer lower fat choices		• offer only milk with 2% or less butterfat	• offer only milk with 2% or less butterfat
FRUIT/VEGETABLE**	1/2 cup	1/2 cup	1/2 cup
• offer daily a fruit, juice or vegetable that is a good source of vitamin C			
MAY CHOOSE ONE SERVING FROM EACH OF THE FOLLOWING COMPONENTS OR TWO SERVINGS FROM ONE			
BREAD/BREAD ALTERNATE**	1 or 2 servings	1 or 2 servings	1 or 2 servings
• offer whole grain varieties often			
MEAT/MEAT ALTERNATE	1 serving recommended	1 serving recommended	1 serving recommended
• encourage low-fat and low-salt choices			

- * Requires prior approval from USDA
 ** Snack Option may be chosen (see 7.1)
 *** Require additional foods for pregnant and lactating students as specified in "Lunch Implementation Option A"

West Virginia Department of Education
Nutrition Standards for School Nutrition Programs

SECTION 4.4 NUTRITION STANDARDS FOR OTHER FOODS CONSUMED AT SCHOOL

TIER I by 1993 Grades K-12	TIER II by 1994 Grades K-12	TIER III by 1995 Grades K-12
Develop or expand meal service options to improve accessibility of school meals and acceptability of school meals for all students. Recommend that all "other foods" available during the school day reflect the Dietary Guidelines for fat by limiting the number of fat grams to not more than 8 per ounce serving, or meet the USDA standard for a lunch component. No candy, soft drinks, chewing gum or flavored ice bars will be sold or served. No foods or beverages containing 40% or more sugar by weight will be sold or served. Any juice or juice product sold or served must contain a minimum of 20% real juice.	Tier I Standards Continue meal service options to ensure accessibility of school meals for all students. Require that all "other foods" available during the instructional day reflect the Dietary Guidelines for fat by limiting the number of fat grams to not more than 8 per one ounce serving, or meet the USDA standard for a lunch component.	Tier II Standards continued

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Nutrition Standards for School Nutrition

- 8.2 Monitoring sales and service of "other foods". Sanctions for non-compliance shall include transfer of purchasing authority for food and beverage items from the school to the county level.

SECTION 9. STAFFING

Since the availability of a full-time nutrition director at the county level is desirable for centralizing operations, developing and monitoring compliance with specification for foods, especially entrees, implementing the Dietary Guidelines, local district accountability, and for nutrition education and training, it is recommended that each county assign a qualified full-time nutrition director by 1993-94.

Suggested staffing shall be determined by tier level in implementation of Dietary Guidelines, i.e., Tier I, Tier II or Tier III.

9.1 Tier I suggested staffing:

- 9.1.1 One full-time qualified county director of nutrition services,
and
9.1.2 one secretary for food services at county level with a minimum of 220 days employment.

9.2 Tiers II and III suggested staffing:

- 9.2.1 One full-time qualified county director of nutrition;
9.2.2 One assistant nutrition services director for each county where enrollment exceeds 10,000 students; and
9.2.3 two secretaries or one secretary and one clerk for food service operations at the county level where enrollment exceeds 10,000 students.

9.3 Operational Definitions Relative To Staffing

- 9.3.1 full-time is defined to mean a minimum of 220 days employment with exclusive nutrition program responsibilities.
9.3.2 A qualified county director of nutrition shall have a minimum of a baccalaureate degree in professional education or in home economics, nutrition, dietetics, or equivalent experience, and shall have experience in food service management, business management, classroom teaching in nutrition, or experience as a member of the NET cadre. In counties where a full-time food service supervisor, coordinator or director has been employed before July, 1992, and whose job responsibilities have been as listed above, that person remains in the present position.

SECTION 10. COMPREHENSIVE COUNTY PLAN TO ADDRESS HEALTH AND NUTRITION RE-EDUCATION

A comprehensive county plan shall be developed with the purpose of linking nutrition service and curriculum by establishing a wellness environment in schools, providing professional development and establishing an on-going evaluation process.

Development of the plan shall involve a broad spectrum of the school and community including health care providers, food service personnel, teachers, students and educational administrators.

SECTION 11. NUTRITION ADVISORY COUNCIL

A broad-based Nutrition Advisory Council shall be established by the West Virginia Department of Education for the purposes of keeping the West Virginia Board of Education apprised of current research findings in nutrition and assessing potential implications of findings for program development and implementation.

SECTION 12. EVALUATION COMPONENT

An evaluation/assessment component shall be established by the West Virginia Department of Education for the purpose of determining the effectiveness of this policy.

**PROTOTYPE LETTER - School Letterhead
CHILDREN WITH A DISABILITY**

Physician's Medical Statement

Section 504 of the Rehabilitation Act of 1973 assures disabled students access to school meals. If a student has a disabling condition that limits one or more major life activity and requires a special diet, a physician's statement is required.

Such statements shall include:

- 1) Verification of a Disabling Condition that requires a special diet,
- 2) Foods the child can not have and must be substituted, and
- 3) Foods substitution.

Child's Name _____

Food Child Can't Have	Substitution Prescribed	Texture (e.g. fresh ground, blended)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other Dietary Information and Directions

_____ I certify that the above named child is in need of special school meals because of her/his disabling condition which substantially limits one or more major life activity.

Physician's Signature

Date

**PROTOTYPE LETTER - School Letterhead
CHILDREN WITH SPECIAL DIETARY NEEDS**

Recognized Medical Authority

Schools may make substitutions for nondisabled students who are unable to consume the regular meal because of medical or other special dietary needs with a recognized medical authority's statement.

Such statements shall include:

- 1) Verification of the medical condition or special dietary need that requires a special diet,
- 2) Foods the child can not have and must be substituted, and
- 3) Foods substitution.

Child's Name _____

Food Child Can't Have	Substitution Prescribed	Texture (e.g. fresh ground, blended)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Other Dietary Information and Directions

_____ I certify that the above named child is in need of special school meals because of the following medical condition or special dietary need.

_____ Signature of Recognized Medical Authority	_____ Date
_____ Title	

SECTION K
PERSONNEL AND TRAINING

Program Management	K - 1
Classification of Cooks	K - 3
Nutrition Education and Training (NET)	K - 4
Training Programs for Food Service Personnel	K - 5
Competency Testing for Food Service Personnel	K - 6

Exhibits

State Board Policy 2550.19	K - 30.1
Children and Nutrition	K - 30.2

PROGRAM MANAGEMENT

The success of any child nutrition program depends largely on its personnel. Every employee must be carefully selected for each position. It is advisable to employ trained personnel at both the school and School Food Authority levels.

Responsibilities and duties of all personnel shall be established by the SFA. Employees develop an understanding of their responsibilities through training and detailed instructions. Motivation will be increased if the employees understand the purposes of the programs and the tasks necessary to achieve those purposes. Duties, salary schedules, sick leave, hours of work, health examinations and fringe benefits such as social security and retirement benefits should be described in a statement of SFA policies and should be available to employees.

Employment policies are governed by the SFA and must be in agreement with state and federal laws and regulations. State law 18A-2-5, requiring written contracts, applies to tenured, probationary and substitute employees. Employees must return signed contracts within thirty days after receipt or they forfeit the right to employment. Many counties use a mutual consent form which is appended to the contract when a change of classification is made or when employees indicate no desire to change classification. Principals should check the SFA to ensure that consistent procedures are being followed.

In order to maintain a high degree of productivity and performance, school food service personnel must be evaluated periodically. Evaluation policy is determined by the SFA and should be applicable to tenured and non-tenured personnel. Evaluation criteria and instruments shall be developed by the SFA and made available to employees and school principals.

Each SFA shall maintain a code or standard of conduct which governs the performance of its employees. United States Department of Agriculture regulations state that school, county, state and federal food service employees shall neither solicit nor accept gratuities, favors or anything of material monetary value from contractors, vendors or potential contractors.

There are two sections of state law that refer to extra duty assignments. Those occurring on a regularly scheduled basis, as defined in 18A-4-16, must be covered by a written document. Those defined in 18A-4-8b not occurring on a regular basis need not be covered by a written document.

School Food Authorities (SFAs) are required to post and date notices of all job vacancies in a conspicuous working place for a minimum of five days. No vacancy can be filled until after the five days, but such vacancy must be filled within twenty working days from the posting date. =

A vacated position or a newly created position may be filled temporarily with a substitute. State law states that substitute service personnel shall be assigned on the basis of seniority. When filling the position of an absent employee with a substitute, that position shall be offered in the following order:

1. with a regular employee in the same building having the same classification category (Cook I, Cook II, Cook III, Cafeteria Manager) and the greatest seniority. Such regular employees shall be assigned on a rotating and seniority basis. The person filling an absentee position may be given the opportunity to stay in that position through the absence.
2. with a substitute with the greatest length of service time. Substitutes shall be employed on a rotating basis, according to their length of service, so that each has an opportunity to perform similar jobs.

When filling a vacant service personnel position, one must first offer the position to a regular employee within that classification category (i.e. Cook I, Cook II, Cook III, Cafeteria Manager) having the greatest seniority and strongest evaluation. If no one classified as a cook is interested in the position, it may be offered to other service employees based on seniority and contingent upon their passing the competency test for cooks.

It is recommended that child nutrition program participation data be used to develop a consistent standard for determining the number of employees needed for efficient program operations. Suggested staffing ratios may be found in State Board Policy 2550.19. [K - 30.1] These ratios are generally based on "lunch equivalents" in which one lunch or two breakfasts count as one equivalent.

CLASSIFICATION OF COOKS

Classification of cooks, as stated in 18A-4-8, include:

Cook I	personnel employed as cook's helper
Cook II	personnel employed to interpret menus, to prepare and serve meals; and personnel who have been employed as "Cook I" for a period of four years, if such personnel have not been elevated to this classification within that period of time
Cook III	personnel employed to prepare and serve meals, make reports, prepare requisitions for supplies, order equipment and request repairs
Cafeteria Manager	personnel employed to direct the operation of a food service program in a school, including assigning duties to employees, approving requisitions for supplies, repairs, keeping inventories, inspecting areas to maintain high standards of sanitation, preparing financial reports and keeping records pertinent to food services of a school

NUTRITION EDUCATION AND TRAINING (NET) PROGRAM

For years child nutrition directors advocated a nutrition education program that would be coordinated with the school feeding program. [K - 30.2] In 1977, the United States Congress amended the Child Nutrition Act to provide funds for the Nutrition Education and Training (NET) Program. Such funds are made available through a United States Department of Agriculture (USDA) grant award to the West Virginia Department of Education (WVDE) based on an approved plan. Program funds may be used to provide:

1. nutrition education for children;
2. training programs for teachers;
3. training programs for school food service personnel;
4. nutrition education for parents; and
5. nutrition materials.

West Virginia's NET plan provides for a specially trained cadre of educators who conduct professional development and inservice workshops in nutrition education and food service management for teachers, administrators, parents and food service personnel. Persons interested in these services may contact the WVDE, Office of Child Nutrition.

The NET Program also maintains a lending library of current nutrition and food service educational materials, including books, video tapes and multimedia kits. An annotated bibliography with annual supplements are provided to schools and School Food Authorities. Educators may request these resources by calling the Office of Child Nutrition.

TRAINING PROGRAMS FOR FOOD SERVICE PERSONNEL

Enhancing student health and learning through nutrition services requires training in many areas of nutrition, food service and program management. These include:

- knowledge of current nutrition recommendations;
- knowledge of United States Department of Agriculture (USDA) regulations and West Virginia Department of Education (WVDE) policies, including required meal patterns;
- use of standardized recipes;
- procurement procedures;
- operation of institutional food service equipment;
- use of USDA publications, such as The Buying Guide for Quantity Foods;
- financial management; and
- food sanitation and safety.

Policy 5500.02, County Service Personnel Staff Development, requires at least 18 hours of job-related staff development for service personnel each year. The County Service Personnel Staff Development Council has final authority to propose and evaluate staff development programs according to the rules of the policy.

The Nutrition Education and Training (NET) program provides training programs at the SFA level for food service personnel through a cadre of trained educators. SFAs may contact the Office of Child Nutrition staff to schedule training through the NET program.

In addition to workshops on various nutrition and food service management topics WVDE, through the NET program, makes preservice training available for newly employed cooks and substitutes on a regional basis. However, SFAs may conduct their own fifteen-hour preservice training. It is recommended that preservice training minimally include: use of standardized recipes; USDA meal patterns; use of quantity equipment; food preparation skills; safety; and sanitation.

COMPETENCY TESTING FOR FOOD SERVICE PERSONNEL

Effective July 1, 1991, county boards of education shall provide competency tests for all new service personnel applicants in each specific classification title. This applies to applicants for either regular or substitute positions.

As specified in State Code 18A-4-8e, these competency tests are intended to determine whether applicants are qualified for a specific classification title. They are not to be used to evaluate employees' skills or performance in their currently held categories.

For testing purposes, Cooks I, II, III and Cafeteria Manager are included in the same classification category, and applicants for these positions are administered the same test. County food service supervisor applicants are administered a different test.

All competency tests are developed by the Bureau of Vocational, Technical and Adult Education of the West Virginia Department of Education. Vocational schools serving the local county boards of education administer them.

After July 1, 1991, only these approved competency tests may be administered by boards of education. Locally developed tests are prohibited under this section of the state code.

**A MASTER PLAN
FOR A
THOROUGH AND EFFICIENT SYSTEM OF
PUBLIC EDUCATION IN WEST VIRGINIA**

**State Board Policy
2550.19**

"Criteria Of Excellence In Nutrition Services"

SCHOOL FOOD SERVICES

INTRODUCTION

The school food service provides the means with which to meet the nutritional needs of the students throughout the school day. For this purpose, the national school lunch and school breakfast programs are designed not only to provide nutritionally balanced meals for all students but also to help students develop sound nutritional habits. In West Virginia, school food service is available in every public school, and every county board of education annually enters into an agreement with the department of education to participate in the child nutrition programs which are funded in part by the United States Department of Agriculture. As schools consolidate and become more comprehensive, the role of school food services expands accordingly.

The standards set forth below are analogous to: (1) the provisions included in the State Plan for Child Nutrition Programs⁽¹⁵⁾ which is executed by the West Virginia Board of Education with the United States Department of Agriculture, and (2) the Policy of Operation Handbook for Child Nutrition Programs⁽⁶⁾ which sets forth the operational policies and procedures governing the school feeding programs authorized under the National School Lunch Act of 1946 and the Child Nutrition Act of 1966.⁽¹⁾⁽²⁾ When fully implemented in every school, the standards are designed to:

1. provide the nutritional services needed to all students in the public schools;
2. follow the dietary guidelines prescribed by the United States Department of Agriculture and the West Virginia Board of Education in order to help students develop sound food habits;
3. meet federal and state requirements for accountability, safety and sanitation;
4. establish appropriate staffing ratios for administrative, supervisory and production personnel;
5. up-grade the established training programs currently prescribed for school food service personnel; and
6. establish annual evaluation procedures to identify the skills and training needed by school food service personnel.

The plan set forth below follows current policies and procedures already in place with the exception of the staffing ratios and training requirements prescribed for administrative, supervisory and production personnel.

1 A. PROGRAM DEFINITION

3 The "school food service program" means "food service operations
5 conducted by the county board of education during the normal school
7 day principally for the benefit of school children, all of the revenue
9 from which is used solely for the operation or improvement of such
11 food service." (1)(2) Under jurisdiction of the county board of
13 education, all schools serve meals that are nutritionally adequate.
They also coordinate the school's health education activities with the
formation of good nutritional and meal time habits in the lunchroom,
to the end that participating children will gain full understanding of
the relationship between proper eating and good health. (1)

15 B. PROGRAM DELIVERY

17 A school lunch is available to all students, and a school
19 breakfast is available to all students except when a waiver has been
21 granted the school by the state superintendent of schools. (3) All
23 meals are served in accordance with applicable state and federal regu-
25 lations (6)(13) and are priced in accordance with a state-approved
pricing scale. Free and reduced price meals are available to children
from eligible families, who are currently approved for free and reduced
price meal benefits, (1)(2) and provision is made where necessary to
meet the dietary and equipment needs of the handicapped and/or health
impaired. (13)

27 1. Time of Meal Service

29 The school and transportation schedules provide time for
31 school breakfast prior to the start of the child's instructional
33 day. (2) Not less than three hours nor more than four and
one-half hours elapse between the service of the school breakfast
and the school lunch. A minimum of ten minutes of eating time
(after going through the serving line) is provided for the school
breakfast and a minimum of twenty minutes eating time (after
going through the serving line) for the school lunch. (6)

37 2. Policies of Operation

39 a. Nutritional Standards

41 School food services shall meet the nutritional standards
43 set forth in state and federal regulations. (4)(5)(6) School
lunches are planned to meet approximately one-third of a child's
45 daily food needs, (1) and school breakfasts are planned to meet
approximately one-fourth of the child's daily food needs. (5)
47 Except for milk, no foods and beverage items are to be sold in
the dining area (or "commons" (4) area, where applicable) in
49 competition with the school meal, except during the breakfast
service when limited a la carte is permissible under state
51 guidelines. (5)

53 Food and beverage items classified as "candy, soft drinks,
55 chewing gum and flavored ice bars" are not to be sold in any

1 public school during the school day, i.e., from the arrival of
2 the first student until the departure of the last bus.⁽⁴⁾ The
3 county school food service director serves on the county school
4 health advisory committee to coordinate establishment and
5 implementation of local guidelines and policies concerning the
6 sales and/or service of nutritional foods and beverages on the
7 school campus, including recommended procedures for approval of
8 the nutritional content of such food/beverage items.

9 School meals will conform with recommended dietary
10 guidelines which emphasize moderation in the amount of sugars,
11 fat and salt in the diet.⁽¹⁴⁾ To this end, food preparation
12 practices are regularly monitored by the county food service
13 director. The county school food service director develops
14 county purchasing standards and supervises purchasing practices
15 to assure nutritional quality and prevent development of
16 questionable nutritional habits.

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18 b. Food Quality (Appearance/acceptability)

19 Preparation, service and storage of all food and
20 beverage items are in compliance with state and local
21 guidelines.⁽¹²⁾ The county director of food services
22 regularly monitors meals served in all schools in terms of
23 appearance, acceptability and student food preferences.

24 Foods are served at the recommended temperatures,
25 observing all applicable sanitation standards, and providing
26 the dinnerware, silverware and disposables which are
27 appropriate to the specific food delivery system.

28 Students at the senior high level and, as designated by
29 the county superintendent, junior high, middle school and
30 elementary students, are afforded the current option of
31 selecting three or more of the approved menu items at lunch
32 time in lieu of the five planned menu items.⁽¹⁾ The lunch
33 is priced as a unit with no adjustment in price for those
34 students who select the "offer versus serve" option
35 described above. At least at the senior high level, choices
36 of menu or items within the meal pattern should be available
37 to all students.⁽⁶⁾

38 c. Food Delivery System(s)

39 The type of food delivery system is determined by local
40 school authorities, after taking into consideration:

- 41 1. the availability, size, location and condition of
42 kitchen/ dining areas;
- 43 2. location of the school to possible central/base
44 kitchens;

- 1 3. sanitation and safety;
3 4. student participation;
5 5. equipment; and
7 6. menu acceptability.
- 9 Regardless of the type of delivery system, all meal service
11 is in compliance with standards set forth in item 2(b) above.
- 13 Suitable types of food delivery systems include: (7)
15 1. on-site food preparation and service;
17 2. central kitchen serving satellite schools; and
19 3. base kitchen serving one or more satellite schools.
- 21 Cold plate lunches and/or "bag" lunches may be utilized
23 as an alternate menu selection or under emergency or
25 temporary conditions or during summer school programs.
- The food delivery system utilized complies with all
applicable state and local standards. (6) (7)
- 27 3. Personnel
- 29 a. County School Food Service Director or Coordinator
- 31 In all counties there is a qualified director or
33 coordinator of the school food service program with a
35 full-time director for 10 or more schools. Functions of the
37 county school food service director or coordinator include:
- 39 1. establish goals for the program to meet the needs of
41 all students;
43 2. establish standards for food preparation, service,
45 sanitation and safety;
47 3. develop procedures for efficient management, including
49 centralized purchasing and data processing systems;
51 4. plan, develop and coordinate an on-going in-service and
53 pre-service program;
55 5. distribute program management and educational aids;
6. monitor and supervise program operations in the
individual schools;
7. recruit trained school food service personnel; and

- 1 8. act as a liaison between elementary, secondary
3 principals; health service coordinators; and the county
5 school health advisory committee to coordinate
6 nutrition/health services, i.e. nutrition education
7 materials and activities.
- 8 b. Assistant School Food Service Director
- 9 An assistant school food service director should be
10 provided where necessary:
- 11 1. Ten to thirty schools - one full-time school food
12 service director;
- 13 2. Thirty-one to seventy-five schools - one full-time
14 school food service director and one full-time
15 assistant director; and
- 16 3. Seventy-six schools and up - one full-time director and
17 two full-time assistant directors.
- 18 c. Qualifications
- 19 County school food service directors and coordinators
20 and assistant directors and coordinators have training in
21 home economics and nutrition and/or institutional
22 management, and demonstrate business management skills or
23 equivalent training.
- 24 d. County Support Staff
- 25 Adequate secretarial and clerical assistance is
26 available to the school food service director or coordi-
27 nator. (One full-time secretary is recommended in counties
28 with ten or more schools.) Assistance from the county staff
29 is regularly scheduled as needed in the following areas:
30 finance, purchasing, payroll, custodial, warehousing and
31 delivery. Technical assistance is available either from the
32 county board of education or from the state department and
33 the RESA office in such areas as planning and evaluation,
34 central purchasing, in-service training and data processing.
- 35 e. School Food Service Personnel
- 36 Staffing ratios are determined by the type of food
37 delivery systems utilized within the county school system,
38 not withstanding any maximum service personnel reimbursement
39 from state funds. The following staffing ratios are recom-
40 mended⁽⁷⁾ (with the exception of schools with student
41 enrollments less than one hundred and schools serving
42 handicapped children):
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4. "Fast Food" Service System

One full-time production worker* for each 11-16 lunch equivalents** per production hour;*** two part-time production workers to be utilized for each full-time production worker needed after the first two full-time workers.

* A "production worker" is herein defined as a person who spends a major portion of his/her time in activities related to meal preparation/ service/ clean-up. In schools where there is neither a cafeteria manager nor a "school food service clerk," one of the full-time "production workers" should be counted as having one to three and one-half hours of record keeping time per day, depending upon the size and type of school and the purchasing system utilized by the county. A "school food service clerk" is a person classified as a "Clerk I" or "Clerk II" who is assigned to perform clerical tasks, prepare reports, keep records, collect monies and/or meal tickets, supervise students in the lunchroom and to perform other duties related to the school food service program.

** Two breakfasts equal one lunch equivalent.

*** Exclusive of a duty free lunch period.

Two part-time workers may be substituted for one full-time. Substitute cooks are made available as needed at the individual kitchens. Base kitchens serving 800 or more lunch equivalents per day shall have a cafeteria manager with skills in food and personnel management.

The staffing formulas set forth above are reviewed at least every two years to ensure validity. As facilities and equipment are up-graded and in-service/pre-service training programs are implemented for all school food service personnel, productivity should increase, thus impacting upon meals per production hour.

4. Staff Development/Training

a. Pre-Service Training

All new food service personnel, including substitutes enroll in a minimum of fifteen (15) hours of pre-service training prior to the first full year of employment. The training program meets guidelines set forth under the State comprehensive training program⁽¹¹⁾ and may be conducted on a regional basis.

1 b. In-Service Training

3 Each school food service worker shall participate
5 annually in at least fifteen (15) hours of in-service
7 training which meets the guidelines set forth under the
9 state comprehensive training program. Each county's
 plan for pre-service/in-service training is to be approved
 annually by the department prior to implementation.

11 5. Regional Involvement

13 Counties may utilize such services as, but not limited to,
15 supervision, data-processing, central purchasing, staff
17 pre-service and in-service training and nutrition education
 teacher-training made available on a regional basis. The cost,
 expediency and effectiveness of such regionally-based services is
 reviewed and evaluated at least every two years.

19 6. School Food Service Facilities

21 All new school construction conforms to the standards set
23 forth in the Handbook on Planning School Facilities⁽⁸⁾ and shall
 include the following general areas:

25 a. A kitchen at least three hundred (300) square feet in size,
27 but size dependent upon the number of meals served and the
29 type of food delivery system utilized. Walls, floor
 coverings, ventilation and sewage systems meet the specifi-
 cations set forth in local and state sanitary/fire codes;⁽⁸⁾

31 b. A dining area which is separated from the food preparation
33 area and the "commons" study area and is adequate in size to
35 seat comfortably one-third to one-half of the student
 enrollment. If the dining area is used as a multi-purpose
 room, time is allowed for sanitizing prior to meal service;

37 c. Storage areas for refrigerated/frozen food storage, dry food
39 storage and nonfood supplies with size dependent upon total
 number of lunches/breakfasts served daily; and

41 d. A dishwashing area separate from preparation area with an
43 automatic garbage disposal and dishwasher of appropriate
 size.

45 County boards of education shall request appropriate
47 technical assistance from the county school food service director
49 and the department of education as well as prior review and
 approval from the department for all school food service
 construction and for any major remodeling.

51 7. School Food Service Equipment

53 The equipment utilized in school kitchen, dining, storage
55 and dishwashing areas is at a minimum:

- a. of institutional size and durability for school use;
- b. safe to operate;
- c. in good repair;
- d. properly installed and maintained;
- e. appropriate for sanitization;
- f. efficient in terms of energy and time/labor conservation;
and
- g. appropriate for its function and location.

All equipment is to be selected by the county school food service director in accordance with specifications set forth in state and federal handbooks⁽⁸⁾⁽⁹⁾ and is to be located and installed in accordance with applicable sanitary/fire codes.

8. Instructional Materials and Supplies

Copies of all department of education and United States Department of Agriculture school food service training guides, program aids, policy handbooks and manuals, as well as appropriate reference materials on nutrition and nutrition education are available in every school.

Supplies needed for the food service operation are available as needed. An inventory of such items is maintained. Appropriate office supplies are available as needed. Record keeping systems, filing systems and equipment inventories are maintained on a current basis.

9. Funds Needed

Funding for the categories of expenses listed below is budgeted as designated.

- a. School Food Service Personnel - For smaller county school systems, county boards of education might opt to fund some of the cost of administration on a regional basis through the appropriate RESA offices. One hundred percent funding for all regular school service personnel including the county school food service director and secretary is provided under the general school support formula.

b. Facilities and Equipment

1. New Construction and Up-grading - School food service facilities and equipment are considered an integral part of each⁽⁸⁾ county's Comprehensive Educational Facilities Plan.

1 2. Equipment Replacement - As part of the financial
3 — management system approved by the United States
5 — Department of Agriculture for the school food service
7 — program, sponsors are encouraged to apply an annual
9 — depreciation factor to their total equipment
11 — inventory.⁽¹⁰⁾ Appropriate assessments made to the
 — school food service program will recover the original
 — value of the equipment inventory. Out-moded equipment
 — still in use is addressed in the County's Comprehensive
Educational Facilities Plan.

13 c. Personnel Training

15 — County boards of education are to cover the cost of a local,
17 — regional or state pre-service and in-service training
19 — program for all food service employees. The annual fifteen
21 — (15) hour program of in-service training is to be scheduled
 — to fall within the normal days of employment whenever
 — possible. Counties are encouraged to cooperate with
 — personnel in the state department and to consult with RESA
 — offices in order to reduce costs of training programs.

23 C. PROGRAM EFFECTIVENESS

25 — The effectiveness of the school food service program is monitored
27 — by the department of education on a regular biennial schedule. The
29 — evaluation tool, Child Nutrition Program Management Evaluation -
Schools and Institutions, currently in use by the West Virginia
 — Department of Education is utilized for this purpose.⁽¹²⁾

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REFERENCES

1. Codified Federal Regulations, Title 7, Chapter II, Part 210.
2. Codified Federal Regulations, Title 7, Chapter II, Part 220.
3. West Virginia Code, Article 18-5-37.
4. West Virginia Board of Education Policy, Article 4321.1.
5. West Virginia Board of Education Policy, Article 4321.2.
6. West Virginia Department of Education, Policy Of Operation Handbook, Child Nutrition Programs, 1982.
7. West Virginia Department of Education, Cost-Effective Systems for Child Nutrition Programs, 1982.
8. West Virginia Board of Education, Handbook on Planning School Facilities, 1981.
9. United States Department of Agriculture, Planning School Food Service Facilities, 1978.
10. United States Department of Agriculture, FNS Instruction 796-1 Revision II, Financial Management Systems, School Nutrition Programs, 1979.
11. West Virginia Department of Education, Comprehensive Training Program for School Food Service Personnel, 1982.
12. West Virginia Department of Education, Child Nutrition Programs Management Evaluation Schools and Institutions, 1982.
13. Codified Federal Regulations, Title 7, Chapter II, Part 15.
14. United States Department of Agriculture and United States Department of Health and Human Services, Nutrition and Your Health - Dietary Guidelines for Americans, 1980.
15. West Virginia Department of Education, State Plan for Child Nutrition Programs, 1982.

Prioritized List of Recommendations for Implementing School Food Services

Phase 1 - 3 Yrs.
Phase 2 - 3 Yrs.
Phase 3 - 5 Yrs.
Phase 4 - 6 Yrs.

Personnel	Services	Facilities
<u>Phase 1</u> 1. State staff maintained in accordance with annual State Plan. 2. Role of county school food service director re-defined. 3. County school food service directors employed (20 additional). 4. Cafeteria managers for 8 base kitchens employed (18 additional). 5. Secretarial/clerical/data-processing services up-graded (state/county). 6. Annual plan for in-service training prepared and approved (state/county). 7. Pre-service training for new school food service personnel (state/on a regional basis). 8. Cadre of 60 food service trainers trained (state-40 additional to be trained). 9. Fifteen hours of approved in-service training required annually for all food service personnel (county). 10. Courses I & II of core CIP curriculum taught in every county (county). 11. Staffing ratios adjusted in schools (20 additional personnel). 12. Course III of CIP curriculum taught in 15 counties.	<u>Phase 1</u> 1. School lunch and breakfast available to every student (program to be expanded in 12 additional schools) (county). 2. State responsibilities expanded to include review and approval of meal pricing scales and food/related price policies in twelve additional schools (state). 3. County school food services evaluated to identify areas where food delivery systems are to be up-graded (county). 4. Current school and transportation schedules reviewed and adjusted to meet required standards (county). 5. County school food service director and state staff monitor food preparation and meal service routinely in all schools (state/county). 6. Meal service up-graded in all schools to meet state standards (county). 7. Appropriate dinervare/silverware/disposables available at time of all meal service (county). 8. Meal service up-graded in every school to meet state and local recommendations concerning menu acceptability and availability of choice (county). 9. All foods and beverages served in schools comply with state/national standards (county). 10. The county school food service director serves on the School Health Advisory Committee (county). 11. The county school food service director develops purchasing standards and is responsible for purchasing food/equipment/supplies for the school food services (county). 12. Technical assistance is provided by the Department (state). 13. Policy manuals, operational manuals and training materials are available in every school (state/county). 14. Appropriate training guides and nutrition education materials are available to elementary/secondary teachers (state/county). 15. Current information on nutrition is available in every county through a cadre of 60 teacher-trainers (state).	<u>Phase 1</u> 1. Existing school food service facilities are reviewed and evaluated against standard criteria (state/county). 2. Necessary changes to existing facilities are prioritized (county). 3. Existing equipment surveyed and inventoried by county school food service director. 4. Current equipment needs are projected against basic equipment lists prescribed by the Department. 5. Appropriate maintenance systems are in place. 6. All new school food service construction meets standards set forth by Department (state/county). 7. Plans for up-grading current facilities/equipment are developed in accordance with State Standards; Priorities are established (county). 8. Technical assistance is provided in kitchen layout and design and in equipment specifications (state).
<u>Phase 2</u> 1. State staff maintained in accordance with annual State Plan. 2. Support services for school food service up-graded (county). 3. Assistant school food service directors employed (11 additional). 4. Training program for state/county staff implemented (state).	<u>Phase 2</u> 1. All meal service meets all applicable federal/state/local standards (state/county). 2. All foods/beverages served in schools meet county/state nutritional standards (county). 3. The county school food service director routinely monitors meal service in terms of appearance, quality and student acceptance. 4. The county school food service director has established standardized systems for accountability, inventory control, records and reports (state/county).	<u>Phase 2</u> 1. All existing school food service facilities up-graded to meet all health, fire and safety codes (county). 2. All new school food service construction complies with standards set forth by the Department (county). 3. All remodeling of school food service facilities approved by county school food service director and/or Department. 4. All purchases of school food service equipment approved by county school food service director and/or Department.

Prioritized List of Requirements
for
Implementing School Food Services

Phase 1 - 3 Yrs.
Phase 2 - 3 Yrs.
Phase 3 - 5 Yrs.
Phase 4 - 6 Yrs.

Personnel	Services	Facilities
3. Cadre of 60 school food service trainers maintained (state). 6. Pre-service training of substitute food service personnel completed (state/county). 7. Courses I and II of core CIP curriculum taught where needed (county). 8. Courses III, IV and V of core CIP curriculum implemented (state). 9. All school food service personnel complete Courses I & II. 10. Staffing ratios adjusted in all schools (20 additional personnel).		5. All school food service equipment inventories are maintained and up-dated annually. 6. All school food service facilities and equipment are maintained in accordance with health, fire and safety standards. 7. Technical assistance provided in kitchen layout/design and in equipment specifications (state).
Phase 3 1. State/county/local staffing ratios maintained. 2. All school food service personnel evaluated annually to determine training needs (county). 3. Cadre of school food service trainers maintained (state). 4. Pre-service training program maintained. 5. CIP training program and state/county staff development continued. 6. All school food service personnel complete 90 hours CIP training (county). 7. Enrichment/refresher courses of training provided as needed (state/county).	Phase 3 1. Maintain current program.	Phase 3 1. All new school food service construction complies with standards set forth by the Department. 2. All up-grading of facilities and/or equipment approved by county school food service director and/or Department. 3. All school food service facilities contain basic equipment prescribed for that particular food delivery system (state/county). 4. All school food service equipment inventories are maintained, up-dated, annually and evaluated to determine future needs. 5. Appropriate maintenance systems are in place in all schools. 6. Technical assistance is provided by the Department. 7. All schools have a dining area which seats at least one-third of student enrollment.
Phase 4 1. Maintain current program.	Phase 4 1. Maintain current program.	Phase 4 1. All existing school food service facilities meet all standards prescribed by the Department (state/county). 2. All school food service facilities and equipment are maintained in accordance with all health, fire and safety standards. 3. All school food service equipment inventories are up-dated annually to determine future needs. 4. Existing school food service facilities and equipment are up-graded to meet building codes and energy conservation standards. 5. All new school food service construction complies with standards set forth by the Department. 6. Technical assistance is provided by the Department.

CHILDREN AND NUTRITION

The ultimate goal of child nutrition programs is to maintain the health and well-being of every child. The provision of nutritionally balanced meals is an obvious way to meet the goal. However, unless children consume those meals the goal of good health cannot be accomplished. Eating is a personal act which may be correctly described as a habit. Eating a balanced diet is learned behavior, not an instinctive reaction.

Eating habits are learned early in life and may need to be changed. Changing any habit requires an awareness of the need to change and making conscious choices until they become habitual. Changing poor eating habits or maintaining good ones may require a nutrition education program. Preferably, nutrition education should be integrated within the curriculum from kindergarten through twelfth grades.

If children's eating habits do not include consumption of a variety of foods, it is difficult for them to acquire needed nutrients for optimal health. Children need to be encouraged to try new foods so their food choices will more likely include a variety, thus a better nutrient balance. In addition, they need to be taught how to use a daily food guide and how to make substitutions in food choices that provide needed nutrients. Since many adult diseases are traced to poor eating habits during childhood, it is important to help children identify those poor habits and correct them.

Nutrition education is preventive health care and should be taught throughout the student's school experience. Research indicates that teens have poorer nutritional status than other ages. Therefore, there is a need for special emphasis on nutritional education during the middle and adolescent years.

Children's nutritional status has been associated with poor school performance. One of the most common nutritional problems in the United States is iron deficiency anemia. Children with anemia feel apathetic and listless, which affects their ability to concentrate in school. Anemic children are less curious, less socially responsive and less persistent which adversely affects their learning.

A study released by the USDA entitled The National Evaluation of School Nutrition Programs found that children who consume school lunch have a higher intake of five specific nutrients - protein, calcium, iron, vitamin A and vitamin C. In addition, 89 percent of the children who eat school lunch have an overall adequate diet, while only 77 percent who do not participate in school lunch have an adequate diet.

Recent findings also document important benefits of the School Breakfast Program, especially for needy students. The positive effects of eating school breakfast on students' achievement test scores, tardiness rates and absenteeism have been shown to be statistically significant.

SECTION L
INTEGRATION AND INVOLVEMENT

Background	L - 1
Comprehensive County Nutrition Plan	L - 2
County Nutrition Advisory Council	L - 3
Exhibits	-
Planning Program Involvement	L - 30.1
Comprehensive County Nutrition Plan Suggested Format	L - 30.2

BACKGROUND

Providing a school environment that promotes optional growth, health and education for all students requires the active involvement of the total school staff, parents and community members. Child Nutrition Program experience shows the positive effects of a collaborative approach to planning and delivering nutrition services and nutrition education. They include increased public awareness of the value of good nutrition and the role of school nutrition programs in enhancing students' health and learning; increased student acceptance of nutritious foods and dietary changes; and increased participation in school nutrition programs.

Both federal regulation and State Board policy acknowledge the importance of cooperative planning and involvement. Each recognizes the value of local discretion in determining specific needs and strategies related to school, home and community involvement.

National School Lunch Program regulations require School Food Authorities (SFA) to conduct activities that involve students and parents in the school's nutrition programs. [L - 30.1] SFAs are to maintain documentation of such activities. State Board Policy 4321.1 requires a county plan for integrating nutrition services and the curriculum.

COMPREHENSIVE COUNTY NUTRITION PLAN

To accomplish its goals, school nutrition programs must become an integral part of the total school curriculum. A broad spectrum of school and community representatives need to work collaboratively to create and strengthen the links between nutrition services and the curriculum. Policy 4321.1, Standards for School Nutrition, requires that a comprehensive county plan be developed to address:

- establishing a wellness environment;
- providing professional development; and
- establishing on-going evaluation.

This plan outlines the county's direction, priorities and activities related to implementing standards set forth in the policy. At the discretion of the county, this plan may include a statement of need; goals, strategies and resources to address identified needs; and evaluation procedures.

A broad-based committee or advisory council comprised of, but not limited to, health care providers, food service personnel, teachers, students and educational administrators, is responsible for developing the county plan. If the development of the plan can be more effectively accomplished through other county planning activities, such as developing a comprehensive school health program plan, a separate nutrition plan is not required. However, the development of such a plan must include all participants specified in Policy 4321.1.

COUNTY NUTRITION ADVISORY COUNCIL

In order to strengthen school child nutrition programs and to enlist the cooperation of school faculties, students and parents, School Food Authorities (SFAs) may appoint a County Nutrition Advisory Council that includes representatives from the following groups: county administrators, school principals, teachers, health professionals, school food service personnel, lay citizens and students.

Responsibilities of the County Nutrition Advisory Council may include:

- facilitating linkages between nutrition services and the total school environment;
- recommending guidelines and policies concerning the sales and service of foods and beverages;
- recommending procedures for evaluating the nutritional content of foods and beverages sold in schools;
- advising the county food service supervisor concerning the food service provided under the National School Lunch Act and the Child Nutrition Act;
- developing the County Nutrition Plan; and
- identifying resources for use in promoting and providing quality nutrition services.

PLANNING PROGRAM INVOLVEMENT

The first step in planning a program of student and parent involvement is to identify and evaluate existing activities which promote these groups' inclusion in the child nutrition program.

Identify specific areas of concern where activities might enhance the program's benefits to students, as well as alleviate any present problems. Next, identify activities that promote student and parent involvement, and are not currently being conducted.

Identify existing resources that could be used to promote student and parent involvement. These could range from Nutrition Education and Training (NET) program grants, business partners, health organizations and local news media.

Once a survey of existing activities, materials and needs has been accomplished, establish objectives and goals for a program. The objectives and goals should clearly reflect local needs.

Finally, devise a plan for promoting involvement of students and parents. The plan should be designed to use existing resources and meet the established objectives and goals.

SUGGESTED ACTIVITIES

A variety of activities can promote student and parent involvement in the child nutrition program. These activities can be very simple or involved. However, School Food Authorities (SFA) should develop as comprehensive a plan as possible, consistent with local needs and capabilities to involve students and parents. Listed below are a few of the activities that can be implemented:

- Provide students and parents with school menus. Decorate menus for posting in the school. Publish a nutrient analysis of the menu. Use table tents with the menu of the day. Print menus in school or local newspaper.
- Administer a food preference survey to determine students' likes and dislikes.
- Conduct guided tours of kitchen and serving area for students and parents.
- Prepare and distribute to students and parents handbooks or bulletins that explain the child nutrition program, including background, requirements and regulations governing the program.
- Sponsor food and nutrition fairs and exhibits with school and community health professionals and/or teachers. Students and parents could participate and contribute to these projects by assisting in planning, organizing, providing publicity, designing or working booths.

Suggested Activities (Continued)

- Establish a student food committee or Nutrition Advisory Council (NAC) to help plan activities - menus, nutrition education, cafeteria environment.
- Conduct taste testing parties for new products and recipes, including those using donated commodities. Students, parents and teachers could serve on the taste test panel.
- Provide a special team training table for athletes during football, basketball, baseball and track seasons.
- Administer a student and parent opinion poll on the child nutrition program.
- Have students analyze the nutrient content of meals and other foods sold at school. Publish this analysis in the school paper and provide information to parents. _

For additional suggestions, contact the Nutrition Education and Training (NET) coordinator at the West Virginia Department of Education (WVDE) Office of Child Nutrition.

COMPREHENSIVE COUNTY NUTRITION PLAN

Suggested Format

WRITING A PLAN

Outline

West Virginia Board of Education Policy 4321.1 describes the purpose of the Comprehensive County Nutrition Plan as "linking nutrition services and the curriculum." The first task of the planning committee is to assess and prioritize school and county needs in relationship to this purpose. The resulting statement of need will determine other aspects of the plan. The following list encompasses the major parts of a plan:

- 1. Needs Statement**
- 2. Goals**
- 3. Objectives**
- 4. Activities**
 - **outline a plan of action**
 - **assign person(s) responsible**
 - **establish time frame**
 - **determine assessment/outcome method**

Although this written plan may address many aspects of the total school curriculum, these areas are suggested:

- | | |
|------------------------------|-----------------------------|
| ● Food Services | ● School Environment |
| ● Nutrition Education | ● Staff Development |

County Nutrition Plan Goals

County Nutrition Plan Needs Statement

L - 30.2c

Goal:

Objective	Plan of Action	Person Responsible	Time Frame	Assessment/Outcome

County Nutrition Plan Suggested Format
Office of Child Nutrition

County Nutrition Plan

AREA: School Environment

Goal:

Objective	Plan of Action	Person Responsible	Time Frame	Assessment/Outcome

County Nutrition Plan AREA: Staff Development

Goal:

Objective	Plan of Action	Person Responsible	Time Frame	Assessment/Outcome

AREA:

Goal:

Objective	Plan of Action	Person Responsible	Time Frame	Assessment/Outcome

SECTION M GLOSSARY OF TERMS

ACT - the National School Lunch Act, as amended.

ADA - Average Daily Attendance.

ADC - Aid to Dependent Children.

ADULT - staff members and employees of a school or child care institution including all faculty, supervisory, past secondary students, student teachers and other personnel.

ADULT BREAKFAST - a breakfast which is sold to an adult for the full price as established by the state and local board of education.

ADULT LUNCH - a lunch which is sold to an adult for the full price as established by the state and local board of education.

AFDC - Aid to Families with Dependent Children.

AFDC ASSISTANCE UNIT - Any individual or group of individuals which is currently certified to receive assistance under the Aid to Families with Dependent Children Program in a State where the standard of eligibility for Aid to Families with Dependent Children (AFDC) benefits does not exceed the income eligibility guidelines for free meal or milk benefits.

APPEAL - the right of appeal by a parent or guardian, child or school or county employee to the state superintendent for an impartial decision.

ASFSA - (AMERICAN SCHOOL FOOD SERVICE ASSOCIATION) - a non-profit, professional organization dedicated to the health and well being of the nation's children. Membership is open to persons engaged in non-profit school food service or related activities in public and private schools, colleges and universities.

ASSESSMENT PROCEDURE - procedure whereby money is reclaimed from a school when a finding is made by the West Virginia Department of Education (WVDE) or United States Department of Agriculture (USDA).

BOX OR BAG LUNCH - a meal, usually served cold, which meets federal requirements for the school lunch. Each item is individually wrapped or packaged in a moisture-proof container. The disposable eating utensils, napkins, and straws are generally wrapped as a unit and included in the package.

BREAKFAST - a meal meeting the requirements set forth in federal and state regulations and served to a child at or near the beginning of the school day. Schools may serve breakfast for an extended period of time or at different times during the morning hours.

CACFP - Child and Adult Care Food Program.

CATEGORICAL ELIGIBILITY - A child for whom food stamps/AFDC is received is automatically eligible for free meals when the household provides a current food stamp or AFDC case number on the application. If application is made for another child in the household who does not come under the AFDC grant or who is not a member of the food stamp household, eligibility for the non-categorically eligible child **MUST** be determined on a household size/income basis. Household size would include both the AFDC/food stamp members and the non-AFDC/food stamp members.

CERTIFICATE OF NONCOLLUSION - A statement signed by a bidder and submitted with her/his bid to affirm that her/his bid is made freely without consultation with any other bidder.

CERTIFICATION - the process by which recognition is granted an individual who has met and continues to meet certain specific standards established by the ASFSA.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - Certification by a vendor that the firm or company has not been suspended or debarred or in any way ineligible to participate in a federal nonprocurement program.

CHILD - a student of high school grade or under who is enrolled in an educational unit of a school. West Virginia state law extends this age to 21 for programs for exceptional children.

CN - Child Nutrition.

CN LABEL - A voluntary federal labeling program which states the products' contribution to the meal pattern requirements; usually found on commercially prepared, individual portioned food products.

COMPELLING CIRCUMSTANCES - the overwhelming pressures of essential or environmental factors which cause a school to request the state superintendent to consider a waiver of the requirement to operate a program.

COMPONENTS - the constituent parts of a meal. The lunch pattern requires four components: meat or meat alternate, vegetables or fruits, bread or bread alternate and milk. The breakfast pattern contains three or four components: fruit or vegetable, bread or bread alternate, meat or meat alternate and milk.

COST OF MILK - the net purchase price paid by the school or child care institution to the milk supplier for milk delivered to the school or child care institution. This does not include the amount paid to supplier for servicing, rental of or installment purchase of milk service equipment.

COUNTY - the county board of education.

CRE - Coordinated Review Effort is a comprehensive evaluation of all School Food Authorities participating in the Program. The review includes critical and general areas of review. Additionally, CRE reviews include other areas of Program operations determined by the West Virginia Department of Education (WVDE) to be important to Program performance. CRE sets forth a unified Federal and State monitoring system which is expected to improve Program management through enhanced monitoring and corrective action. CRE reviews are expected to eliminate overlapping review activity between Federal and State agencies.

CTP - Comprehensive Training Program.

CURRENT INCOME - means income received during the month prior to application for free or reduced-price meals and multiplied by 12. If such income does not accurately reflect the household's annual income, income shall be based on the projected annual household income. If the prior year's income provides an accurate reflection of the household's current annual income, the prior year may be used as a base for the projected annual income.

DA - (Distributing Agency) agency responsible for donated foods - Department of Health and Human Resources.

DEBARMENT - A shutting out or exclusion for cause (as a bidder from the list of qualified bidders).

DEPARTMENT - the West Virginia Department of Education.

DEPRECIATION - a reasonable allowance for the deterioration, wear and tear and obsolescence of non-expendable equipment used primarily in connection with the operation of a food service facility.

DIRECT CERTIFICATION - is a simplified method of determining some children's eligibility for free meals under the National School Lunch Program and School Breakfast Program, or free milk under the Special Milk Program without having the family complete a free and reduced price meal or free milk application. The Office of Child Nutrition obtains documentation from the State Department of Health and Human Resources and prepares appropriate computer sorts that enable the School Food Authority (SFA) to match the names of children that are members of households currently certified to receive food stamps or AFDC.

DIRECT COSTS - expenses which are readily identifiable as the part of the total cost applicable to the school food service operation. (Examples: cost of food, cooks' salaries, supplies.)

DISTRIBUTION COST - (of Special Milk Program) - direct expenses incurred by the school or child care institution in connection with the sale, handling or serving of milk.

DONATED FOODS - agricultural commodities which United States Department of Agriculture (USDA) makes available to various food program outlets including public and private schools and summer camps.

ECONOMIC UNIT - A group of related or unrelated people who share housing and/or all significant income and expenses of its members.

EDIT CHECKS - A system of comparisons and calculations for individual schools and School Food Authorities (SFAs) to facilitate count/report accuracy and to identify potential problems in the meal count system.

EMANCIPATED STUDENT - A student living alone or as a separate economic unit is considered a household of one. Therefore, only the student's income is considered for eligibility purposes.

ENRICHED - a process by which the nutrients thiamin, riboflavin, niacin and iron are replaced in refined grains and grain products.

EQUIPMENT - articles and physical resources other than land or buildings used for receiving, storing, preparing, transporting or serving food.

EXTRA MILK - milk sold to children exclusive of milk served as a component of the breakfast or lunch and for which no reimbursement is claimed.

FAMILY - a group of related or non-related individuals who are not residents of an institution or boarding house, but who are living as one economic unit.

FISCAL YEAR - (Federal) - the period of 12 calendar months beginning October 1 and ending with September 30 the following calendar year.

FISCAL YEAR - (State) - the period of 12 calendar months beginning July 1 and ending June 30 the following calendar year.

FNIC - the Food and Nutrition Information and Educational Materials Center. The Center houses audio-visual and printed materials related to school food service.

FNS - the Food and Nutrition Service of the United States Department of Agriculture (USDA).

FNSRO - the Food and Nutrition Service, Regional Office. In the case of West Virginia, it is the Mid-Atlantic Region with headquarters in Robbinsville, N.J.

FOOD SERVICE MANAGEMENT COMPANY - means an organization other than a public or private nonprofit school with which an institution may contract for preparing and, unless otherwise provided for, delivering meals, with or without milk for use in the Program.

FOOD SERVICE PERSONNEL - local school food service employees classified as Cooks I, Cooks II, Cooks III and local food service managers.

FOOD STAMP HOUSEHOLD - Any individual or group of individuals which is currently certified to receive benefits under the Food Stamp Program.

FORTIFIED - the addition of a nutrient to a food product to increase that nutrient's density over and above that normally found in the product. The addition of milk solids to low-fat milk to produce "protein fortified" milk is an example.

FOSTER CHILD - a child who is living with a family but who remains the legal responsibility of the welfare agency. Only the income received for foster care for the child should be considered for eligibility purposes. [F - 30.5: - 14]

FREE LUNCH OR FREE BREAKFAST - a lunch or breakfast for which neither the child nor any member of the child's family pays or is required to work in the school or in the school's lunch program. Federal reimbursement for a free lunch or breakfast shall be claimed only for an eligible child with an approved application for free meals.

FSEA - (FOOD SERVICE EQUIPMENT ASSISTANCE PROGRAM) - formerly "Non Food Assistance Program" - funds made available to states to assist them to supply schools drawing attendance from areas in which poor economic conditions exist, with equipment other than real property for the storage, preparation, transportation and serving of food; to enable them to establish, maintain and expand the food service programs.

HOUSEHOLD - members of a family/household who live together and share expenses; a group of related or nonrelated individuals, who are not residents of an institution or boarding house, but are living as one economic unit.

INCOME STANDARDS - means the family-size and income standards prescribed annually by the Secretary of Agriculture for determining eligibility for free and reduced-price meals under the National School Lunch Program and the School Breakfast Program.

INDIRECT COST RATE - (also called HEW Number of County Non-restricted Cost Rate) - a pre-determined factor which will yield allowable indirect costs when applied to adjusted direct costs. This factor is assigned annually by the Bureau of Finance and Administration of the West Virginia Department of Education from data furnished by the County Departments of Education. Indirect cost rate for Private Schools and Residential Child Care Institutions (RCCI's) is ten percent.

INDIRECT COSTS - those costs representing supporting services and incidental supplies which are furnished by general support services program of the school system. These costs, if properly documented, may be eligible costs of the food services and when added to direct costs, show the full cost of the food service operation.

MEDICAID - a government financed program of medical aid designed for those unable to afford regular medical services.

MILK - pasteurized fluid types of unflavored whole milk, lowfat milk, skim milk or cultured buttermilk which meet state and local standards for such milk. All milk should contain vitamins A and D at levels specified by the Food and Drug Administration and be consistent with state and local standards for such milk.

NAC - Nutrition Advisory Council.

NEEDY CHILDREN - children from families meeting the standards for free and reduced price meals.

NET - (Nutrition Education and Training Program) - In November 1977 the Child Nutrition Act was amended to establish a system of grants to state education agencies for the development of comprehensive nutrition information and education programs. Such nutrition programs shall freely use as a learning laboratory the school lunch and child nutrition programs.

NET CASH RESOURCES - Money in the child nutrition account plus all money due the account less the amount of unpaid bills.

NON-EXPENDABLE EQUIPMENT - tangible property having a useful life of more than one year and an acquisition cost of \$500 or more per unit.

NON PRICING PROGRAM - (Special Milk) - a program in which milk is not sold to children on a daily, weekly, monthly or annual basis. The milk is provided by funds from institution, camp, school or in some cases by a tuition payment.

NON PROFIT PRIVATE SCHOOL - a non-public school that is exempt from income tax under the Internal Revenue Code.

NON-PROGRAM ADULT MEALS - Meals sold to adults not directly involved in the child nutrition program.

NON RESTRICTED COST RATE see INDIRECT COST RATE.

NSLA - National School Lunch Act.

NSLP - National School Lunch Program.

NUTRITIONAL STANDARDS - standards for meal patterns as prescribed by the West Virginia Department of Education.

OA - Office of Audit of USDA.

OFFER VS. SERVE - a senior high school student is not required to accept more than 3 of the 5 items of the school lunch. "Offer" means the complete lunch is made available to students. The "Offer" vs "Serve" may be extended to junior high and elementary schools at the discretion of the local School Food Authority.

OI - Office of Investigation of USDA.

OIG - Office of Inspector General of USDA.

OMB - Office of Management and Budget.

PAID BREAKFAST OR LUNCH - a breakfast or lunch which is sold to a child at the full price, as established by the county board of education.

PERPETUAL INVENTORY - a running record, up to date, of each item on hand in the storeroom.

PHYSICAL INVENTORY - the value of items on hand at the end of an accounting period (usually a month).

PRICING PROGRAM - (Special Milk) - a program in which milk is sold to children and is paid for daily, weekly, monthly or annually. The price that children pay for milk will be lowered by making maximum use of the reimbursement.

PROCESSING CONTRACTS - An agreement by and between a processing company and the state distributing agency or between a processing company and a recipient agency whereby donated foods, made available by USDA, may be converted into end-products or components used in school meals.

PRODUCT ANALYSIS SHEET - a statement by the producer or distributor of a prepared entree specifying the amount of meal components supplied by a product. A statement by the distributor of a pizza product might read: "Each 4" X 6" slice of _____ pizza contains the equivalent of 2 oz. of meat/meat alternate, 1/8 cup vegetable, 1 slice enriched bread."

PROGRAM - the school breakfast or lunch program.

PROGRAM ADULT MEALS - Meals served to adults who are directly involved in the operation and administration of the child nutrition program and are furnished at no charge.

PUBLIC HEARING - a public hearing conducted by the school which is held for the parents of the children enrolled in that school.

RCCI - Residential Child Care Institution - Homes for the mentally retarded, emotionally disturbed, unmarried mothers, orphanages; temporary shelters for abused or runaway children; and juvenile detention centers.

RECERTIFICATION - the process by which recognition is granted an individual who has met and continues to meet certain specific standards established by the ASFSA. (See CERTIFICATION)

RDA - (RECOMMENDED DIETARY ALLOWANCE) - a list of nutrients and the quantities needed daily for men, women and children published by the Food and Nutrition Board, National Academy of Sciences/National Research Council.

REDUCED PRICE MEAL - a meal which meets the following criteria:

1. The price shall be less than the full price of the meal.
2. Currently in West Virginia the lunch is priced at 40 cents and the breakfast at 30 cents.
3. Neither the child nor any member of the child's family shall be required to supply an equivalent value in work for the school or in the school's food service.
4. Federal reimbursement for the school lunch or breakfast may be claimed only for a child with an approved and valid application for a reduced price meal.

REGULATION - a statement issued by a federal agency. It establishes requirements which must be met under laws passed by Congress.

REIMBURSEMENT - financial assistance paid or payable to participating schools for lunches and breakfasts meeting the requirements of the United States Department of Agriculture and the West Virginia Department of Education and served to eligible children with valid applications on file.

REVENUE - the value of resources available to operate the food service program including cash funds (federal, state and local) and the value of goods and services contributed.

SBP - School Breakfast Program.

SCHOOL - an educational unit of high school grade or under operating under public or non-profit ownership in a single building or complex of buildings. The term "high school grade or under" includes classes of pre-primary grade when they are conducted in a school having classes of primary grade or higher grade or when they are recognized as a part of the educational system in the state regardless of whether such pre-primary grade classes are conducted in a school having classes of primary or higher grade.

SCHOOL DAY - the time between the arrival of the first child at school and the end of the last scheduled instructional period.

SCHOOL IN SEVERE NEED - a school eligible for rates of reimbursement for free and reduced price breakfasts which are in excess of the current average payments.

SCHOOL YEAR - means a period of 12 calendar months beginning July 1 of any year and ending June 30 of the following year.

SDA - State Distributing Agency responsible for donated foods - West Virginia Department of Health and Human Resources.

SECTION 4 - the section of the National School Lunch Act which describes how funds shall be apportioned among the states for an average reimbursement per lunch per child.

SENIOR HIGH SCHOOL STUDENT:

1. any student enrolled in a 3 year high school (grades 10-12)
2. any student enrolled in a 4 year high school (grades 9-12)
3. in a 5 or 6 year secondary school either:
 - a. students enrolled in grades 10-12
 - b. students enrolled in grades 9-12

as determined by the local School Food Authority.

SERVING PERIOD - the period of time which is normally required to serve a school breakfast or lunch. The serving period should provide approximately ten minutes of eating time after service of breakfast and twenty minutes of eating time after service of lunch.

SFA - (SCHOOL FOOD AUTHORITY) - the governing body which is responsible for the administration of one or more schools and which has the legal authority to operate a breakfast or lunch program therein.

SMP - Special Milk Program.

SOC - State Optional Contract makes specified products available to states for distribution to recipient agencies.

SPECIAL MILK - Milk sold to children at a reduced price or given free to eligible children. Schools participating in the federal food service program may not participate in the Special Milk Program. Schools may participate in the Special Milk Program for split-session kindergarten and/or other pre-primary programs in which children do not have access to the meal service.

SPLIT SESSION - an education program which operates for approximately one-half of the normal school day.

SPONSOR - the governing body responsible for the administration of one or more schools or residential child care centers.

STATE AGENCY - the State Educational Agency.

STATE AID ALLOTMENT - funds provided by the West Virginia Legislature to assist public schools in hiring local food service personnel. This is designated as the state funding needed to meet the state matching requirements set forth in the National School Lunch Act. The NSLA requires that ten percent of the three to one state matching requirements of the federal dollars, funding Section 4 of the Act, must be in the form of state appropriations to local participating schools. These State Aid Allotments are paid to the county school systems in quarterly installments.

STATE EDUCATIONAL AGENCY - (as determined by the State Legislature) - the Superintendent of Schools or the State Board of Education controlling the State Department of Education.

STRAIGHT LINE DEPRECIATION - a method of depreciating an item of equipment whereby an equal portion of the cost of the item is allocated to each period of use.

SUSPENSION - immediate exclusion from transactions involving federal non-procurement programs pending completion of legal and/or debarment proceedings.

USDA - United States Department of Agriculture

USDE - United States Department of Education

USRDA - United States Recommended Daily Allowance - a list of nutrients reflected on food labels. The figures are not identical to the RDA.

VERIFICATION - means confirmation of eligibility for free/reduced price benefits under the National School Lunch Program.

WAIVER - an individual school's request for granting of a waiver for the service of school breakfast due to compelling circumstances.

WHOLE GRAIN - refers to products that contain the entire grain, or all the grain that is edible. They include the bran and germ portions which contain most of the fiber, vitamins and minerals, as well as the starchy endosperm. Examples of whole grains may include whole wheat, cracked wheat, bulgur, oatmeal and whole cornmeal.

WV CHILD NUTRITION STATE PLAN - an annual statement of program objectives and a plan to implement national policy.

WVDE - West Virginia Department of Education.

WV STANDARDS OF EDUCATIONAL EXCELLENCE - each county's assessment of its compliance with standards for educational quality followed by a plan for compliance.